

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 4425 of 2016

District : Ahmednagar

Ashok s/o. Anaji Wakchaure,
Age : 46 years,
Occupation : Leather work,
R/o. Jorve,
Taluka : Sangamner,
District : Ahmednagar. .. Applicant.

versus

The State of Maharashtra,
Through the Police Inspector,
Sangamner City Police Station,
Taluka : Sangamner,
District : Ahmednagar. .. Respondent.

.....

*Mr. B.S. Bhale & Mr. D.M. Wagh, Advocate, for the
applicant.*

*Mrs. V.N. Patil (Jadhav), Addl. Public Prosecutor,
for the respondent.*

.....

CORAM : A.M. BADAR, J.

DATE : 23RD AUGUST 2016

ORAL ORDER:

Heard both sides.

2. The learned Counsel for the applicant argued that initially application for anticipatory bail

filed by the present applicant was rejected by the learned Addl. Sessions Judge and thereafter similar application was rejected by this Court by order dated 15.04.2016. At that time, the applicant had deposited an amount of Rs. 1,00,000/- with this Court. The learned Counsel for the applicant further argues that averments in the FIR are to the effect that the applicant had cheated to informant by Rs. 8,00,000/-. It is argued that the applicant is ready and willing to deposit the said amount under the protest and that shall be subject to result of the trial. On this condition, according to the learned Counsel for the applicant, anticipatory bail needs to be granted to the present applicant.

3. The learned Addl. Public Prosecutor opposed the applicant.

4. Perused the order dated 15.04.2016 passed by this Court in Criminal Application No. 1288 of 2016. After considering case of the present applicant on merit and after giving elaborate reasons for disentitlement of the applicant for pre-arrest bail, this Court was pleased to reject the said application. In this view of the matter, fresh application with a willingness to deposit the entire amount cannot be entertained. such willingness on the part of the applicant in depositing the entire amount does not amount to change in circumstances.

5. The Application is accordingly rejected.

(A.M. BADAR)
JUDGE

.....