

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

CRIMINAL APPLICATION NO. 5653 OF 2016

Mahendra Balasaheb Tupke .. Applicant

Versus

The State of Maharashtra .. Respondent

Mr.N.R. Bhavar, Advocate for the applicant.

Mr.S.D. Ghayal, A.P.P. for respondent/State.

CORAM : A.M. BADAR,J.

DATED : 24.10.2016

P.C. :-

1. The applicant/accused in Crime No.27 of 2014, registered with Chalisgaon Police station, Dist. Jalgaon, for offences punishable under sections 395, 394 and 341 of the Indian Penal Code, by this application is seeking his release on bail during pendency of the trial.

2. Heard learned Counsel for the applicant at length. He argued that other co-accused and main accused who were traders in cotton are released on bail. Learned Counsel for the applicant placed reliance on order passed by this Court in Criminal Application No.4122 of 2014 releasing applicant – Ashok Bhimraj @ Bhivraj Shingar. He also relied on order passed by learned Additional Sessions Judge, releasing co-accused on bail.

3. It is worthwhile to mention that on 07.08.2014 this Court [Coram : M.T. Joshi, J.] allowed Criminal Application No.4122 of 2014, releasing the applicant therein - Ashok Bhimraj @ Bhivraj Shingar, on bail. On the very same day, same learned Judge of this Court rejected Criminal Application Nos. 3651 of 2014 and 3650 of 2014 filed by the present applicant for seeking his release on bail in Crime No.19 of 2014 and 27 of 2014. By this application, the applicant is seeking his release on bail in Crime No.27 of 2014. Earlier application moved by the present applicant after filing of the charge-sheet has been rejected by this Court on 07.08.2014, therefore, this application cannot be validly entertained. This application is, therefore, rejected.

[A.M. BADAR, J.]