

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 665 OF 2016**

Mahendra Balu Bhilare	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Anita Dhumal I/b Mr. Vijay R. Shinde for the Applicant

Mr. D. P. Adsule, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
SATURDAY, 16th APRIL, 2016

P.C. :

1. This is the second application for anticipatory bail. The first application being ABA No. 392 of 2016 preferred by the applicant was dismissed as withdrawn vide order dated 7th April, 2016. The same reads thus :

“1. After arguing for some time, learned Counsel for the applicant seeks leave to withdraw this application.

2. Application is dismissed as withdrawn.”

2. Learned Counsel for the applicant states that the charge-sheet has been filed and that co-accused Nandkumar Bhilare has been enlarged on bail by this Court.

3. Learned A.P.P submits that there is no change of circumstance warranting grant or consideration of the application. He submitted that a statement of Prashant Shelar clearly shows the complicity of the applicant in the said crime.

4. Perused the said statement. The statement shows that the applicant had carried a bag containing charas which he handed over to co-accused Nandkumar Bhilare. Only because charge-sheet has been filed against co-accused Nandkumar Bhilare and he has been enlarged on bail, cannot be a ground to grant the applicant's Anticipatory Bail Application.

5. Accordingly, the application stands rejected.

6. If an application for regular bail is filed, the learned Judge shall decide the same on its own merits.

REVATI MOHITE DERE, J.