

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1231 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. J.S.Yadav i/by Mr. V.B.Tapkir for the Applicant.
Mr. Deepak Thakare, APP. for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE : 31st August, 2016

P.C.

1. The applicants had earlier filed ABA No.1911/2015 for pre-arrest bail. That after hearing the learned counsel for the applicants at length when this Court was not inclined to grant any relief, the learned counsel on instructions had sought leave to withdraw the said application and the said application was dismissed as withdrawn.

2. The learned counsel for the applicants submitted that after the earlier order passed by this Court thereby rejecting the anticipatory bail application of the present applicants, this Court in ABA NO.644/2016 has granted pre-arrest bail to the co-accused namely Bhagirath Baghel, the father of applicants on 18.7.2016. He

submitted that this is a substantive change in circumstance as the role alleged against the father and son are similar.

3. A bare perusal of the first information report lodged by the complainant would demonstrate that the applicants used to abuse and threaten the deceased Rajendrasingh. The role attributed to the applicants according to me is different than, that assigned to Bhagirath Baghel and therefore, the applicants are not entitled to take benefit of the order dated 18.7.2016 and claim parity with him.

4. In view of the above, I find no change in circumstance and the present application is accordingly dismissed.

(A.S.GADKARI, J.)