

**THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR**

**CRIMINAL PETITION No.10778 of 2016**

**ORDER:**

The petitioners, who are accused Nos.1 and 3 in Crime No.104 of 2016 of Godavarikhani I-Town Police Station, Karimnagar District, filed the present application under Sections 437 and 439 Cr.P.C. seeking enlargement on bail in the above crime, registered for the offences punishable under Section 20 (b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

At the time when the matter is taken up for hearing, it is brought to the notice of the Court that earlier the petitioners filed Criminal Petition No.7794 of 2016. By an order dated 14.06.2016, this Court rejected the request of the petitioners. Thereafter, the present application is again filed seeking same relief. Since there are no changed circumstances the request of the petitioners cannot be considered. The issue as to whether an application for bail/anticipatory bail can be filed without there being any changed circumstances, came up for consideration before the Apex Court in ***Kalyan Chandra Sarkar***

***v. Rajesh Ranjan @ Pappu***<sup>[1]</sup>, wherein the Apex Court held as under:

“Even though there is room for filing a subsequent bail application in cases where earlier applications have been rejected, the same can be done if there is a change in the fact situation or in law which requires the earlier view being interfered with or where the earlier finding has become obsolete.”

In the absence of any change either on fact or in law and having regard to the judgment of the Apex Court referred to above, I am not inclined to grant bail to the petitioners.

Accordingly, the Criminal Petition is dismissed.

---

02.08.2016  
sur

---

[\[1\]](#) AIR 2005 SC 921