

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.442 OF 2017

Raja Bisram Kale @ Ashok Rajendra Shinde ... Petitioner

Vs.

The State of Maharashtra ... Respondent

with

BAIL APPLICATION NO.443 OF 2017

Raja Bisram Kale @ Ashok Rajendra Shinde ... Petitioner

Vs.

The State of Maharashtra ... Respondent

Mr.Arun Rajput i/b Anjali Patil for the Applicant
Mr.Deepak Thakre, APP, for Resp.State

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: JUNE 15, 2017**

P.C. :

1. These are the second Bail Applications preferred by the applicant/accused as he is prosecuted for the offences punishable under sections 307, 326, 395, 397, 459 r/w 34 of the Indian Penal Code and section 37(1)(A) r/w section 135 of the Maharashtra Police Act. The two offences are committed in one night one after the other. Two separate C.Rs are registered. The earlier

applications for regular bail i.e., Bail Application Nos.2189 of 2016 and 2365 of 2016 were rejected by this Court on 3.2.2017.

2. Heard the learned Counsel for the applicant and the learned Prosecutor.

3. The learned Prosecutor has argued that earlier, there was another case registered against the applicant/accused. However, the learned Counsel for the applicant/accused states that the applicant/accused is now acquitted in an appeal from the previous case and this is a change of circumstance. The learned Prosecutor submits that the fact of the criminal record was not the only circumstance which was considered for rejecting bail. Gravity of the incident and evidence against the applicant/accused was considered as ground for rejection of bail.

4. No case of change of circumstance is made out. Therefore, the Bail Applications are rejected. However, the trial Court may endeavour to expedite the trial.

5. Bail Applications are disposed of accordingly.

(MRIDULA BHATKAR, J.)