

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1047 of 2017

Mr. Vaibhav Dharmanand Raut

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Prapti Mane for the applicant.

Mr. R. M. Pethe, APP for the respondent-State.

API R. N. Narole, Nalasopara Police Station present.

CORAM : PRAKASH D. NAIK, J.

DATE : 20 JUNE 2017

P.C. :

1. The applicant had preferred an application for anticipatory bail before the Sessions Court which was not pressed and was thus disposed of vide order dated 12 June, 2017.

2. Learned advocate for the applicant submits that the application was not pressed at that point of time, as the alleged offences were bailable in nature. However, subsequently section 452 is added which is non bailable in nature.

3. In the aforesaid circumstances, the applicant can again prefer an application before the Sessions Court seeking anticipatory bail.

4. Hence I pass the following order;

:: ORDER ::

- (i) The applicant is allowed to withdraw this application with liberty to prefer an application before the Sessions Court seeking anticipatory bail in connection with C.R. No.I-131 of 2010.
- (ii) If such an application is preferred by the applicant the same shall be dealt with in accordance with law without being influenced by the fact that the earlier application was withdrawn.
- (iii) Application is disposed of.

[PRAKASH D. NAIK, J.]