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

CRIMINAL BAIL APPLICATION NO.2109 OF 2016

Santosh Hanmant Patole

... Applicant

Versus

The State of Maharashtra

...Respondent

Mr.S.B.Kalel, for the Applicant.

Mr.Prashant Jadhav, APP for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

***DATE : 2nd FEBRUARY, 2017
(IN CHAMBERS)***

P.C. :

1. Heard learned counsel for the parties.
2. This is the second bail application preferred by the applicant. The first bail application of the applicant was rejected on merits by this Court (Coram: Revati Mohite Dere, J.) vide order dated 4th September, 2015, in Criminal Bail Application No.1314 of 2015.

3. Learned Counsel for the applicant states that the change of circumstance is that till date charge has not been framed in the said case. He submitted that there are 20 cases of Protection of Children from Sexual Offences Act, pending before the said Court and as such the possibility of the case commencing in the immediate future is bleak.

4. Perused the earlier order dated 4th September, 2015. The said application was rejected on merits, considering the fact that there was sufficient material as against the applicant to show his complicity in the said case. There are statements of two witnesses i.e. Vishwanath and Sindhu, who had seen the applicant leaving the house with an axe. There was also an extra judicial confession made to Bapu Pokhare and recovery of blood stained clothes and axe at the instance of the applicant.

5. Considering the fact that the case is of the year 2015, no order is required as of today to expedite the case of the applicant. Hence, the application is rejected and is disposed of.

6. It is made clear, that the observations made herein, are *prima facie*, and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made in the earlier order and in this order.

REVATI MOHITE DERE, J.