

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR

Criminal Application No. 1018 of 2017

Deepak v. The State of Maharashtra and anr

Shri A. P. Rathute, Advocate for applicant

Shri S. S. Doifode, APP for respondents

Coram : S. B. Shukre, J

Dated : 13th November 2017

P.C.

After hearing this matter for some time during the course of which some new grounds were submitted by learned counsel for the applicant, learned counsel for the applicant, on instructions, seek leave of the Court to withdraw the application with liberty to file a fresh bail application on all the new grounds before the trial Court.

Shri Doifode, learned APP submits that there is neither any change in circumstances nor any new ground has been taken out by the applicant and as such, application itself is not maintainable. However, as regards the liberty sought for by the applicant, learned APP would submit that it is a matter falling within the discretion of the Court.

In view of the above, leave to withdraw the application is granted with liberty, as prayed for. If fresh bail application is moved before the trial Court,

the trial Court shall consider the grounds which are said to be new and bringing change in circumstances, on their own merits, without being influenced by the order of this Court.

Disposed of in the above terms.

JUDGE

joshi