

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.161 OF 2018

Aashish Rasiklal Ganatra ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

.....

Mr.Nitin S. Satpute, Advocate for the Applicant.

Ms.Anamika Malhotra, APP for the Respondent/State.

Mr.B.S.Gavit, PSI, Gholvad Police Station.

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CORAM : A.M.BADAR J.

DATED : 24th APRIL 2018.

P.C. :

1 This is an application for pre-arrest bail in Crime No.I-21 of 2017 for the offences punishable under Sections 306 and 498-A of the Indian Penal Code registered with Gholvad, District Palghar.

2 Earlier similar application bearing No.1778 of 2017 was rejected by this Court vide Order dated 10th October 2017 by reasoned Order. Except filing of the charge-sheet, there are no changes in the circumstances. The charge-sheet does not show

that evidence against the present applicant is in any manner diluted during the course of investigation.

3 The learned Additional Public Prosecutor has pointed out that proclamation under Section 82 of the Criminal Procedure Code has already been issued by the learned Judicial Magistrate First Class, Dahanu, as the applicant was absconding during the course of investigation. As the proclamation under Section 82 of the Criminal Procedure Code has already been issued, the application under Section 438 of the Criminal Procedure Code can not be considered.

4 The same is, therefore, rejected.

(A.M.BADAR J.)