

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1103 of 2018
IN
CRIMINAL APPEAL NO.851 of 2018

Sagar Digambar Jadhav .. Applicant
Versus
The State of Maharashtra & Anr .. Respondents

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Mr. Ashish Satpute for the applicant.
Mr. Ajay Patil, AGP for the State.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H.DANGRE, JJ.
DATED : 12th DECEMBER, 2018

P.C:-

1 This is an Appeal as also Application placed before us pursuant to the order dated 31st October 2018.

2 The Bench presided over by Shri Justice S.S. Shinde was of the view that this is a successive application seeking bail. Far from this, the position is otherwise. The appellant-applicant was advised to file another Appeal to challenge the very order of the trial court rejecting his application for bail. The first Appeal was already filed against such an order and

that was withdrawn. The real question is whether the second Appeal and challenging the same order of the trial court is maintainable.

3 Be that as it may, in the light of the order dated 31st October 2018, we have heard the appellant's Advocate.

4 We have perused the appeal paper book. We find that no changed circumstances are brought on record enabling us to take a view different than reached by us while expressing our disinclination to grant any relief. It is based on that disinclination that the earlier appeal was withdrawn and dismissed as such.

5 Once that disinclination cannot be revisited in the absence of changed circumstances, then even this second Appeal and application for bail is not maintainable and cannot be entertained. It is accordingly dismissed.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)