

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

CRIMINAL BAIL APPLICATION NO. 3438 OF 2018

Arif Shaffi Farooque	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.S.G.Rajput for Applicant.
Ms.Rutuja Ambekar, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 22nd April 2019.

P.C. :

1] This is a consecutive application for bail. The earlier application preferred by the applicant was dismissed as withdrawn by Order dated 15th February 2018.

2] Mr.Rajput, the learned counsel for the applicant submitted that, except accused No.3 rest of the accused persons are released on bail, either by this Court or by the trial Court, and the applicant is the only person who is behind the bars. He further submitted that the Division Bench of this Court in Criminal Writ Petition No.4329 of 2018

along with other allied petitions have granted stay to the trial and therefore, the applicant may be released on bail.

It is to be noted here that, the role attributed to the present applicant in the crime is serious in nature than the other accused persons who have been released on bail. It is the allegation against the applicant that, he acted as an agent in trafficking minor children from India to Paris. The statements of minor children indicates that, after coming to Mumbai from their native places they were residing with the applicant. The applicant made them to practice signatures of their forged names with a view to transport them to Paris on their forged names along with related forged documents. The applicant, therefore, cannot claim parity along with other accused persons.

3] There is no change in circumstance, least to say any substantive change in the circumstance in the facts and circumstances of the present case, than on the date of passing of the last order, except passage of time.

4] Application is, accordingly, rejected.

[A.S. GADKARI, J.]