

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

CRIMINAL APPLICATION (BA) NO.794/2019

Santosh s/o Narayan Bhandekar

..VS..

State of Mah., thr. PSO PS Bhamragad, District Gadchiroli

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri A.C.Jaltare, Counsel for the Applicant.
Shri V.A.Thakare, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : AUGUST 30, 2019.

1. This is an application for grant of regular bail.
2. Heard learned counsel Shri A.C.Jaltare for the applicant and learned Additional Public Prosecutor Shri V.A.Thakare for the State.
3. The present matter was listed on 23.8.2019, however since on the said date learned counsel for the applicant was absent, the matter was placed today.
4. Learned counsel Shri A.C.Jaltare for the applicant, submitted that Notice on this application is not issued. In view of the said submission, learned Additional Public Prosecutor Shri V.A.Thakare for the State, submitted that there is no necessity of issuing Notice in this case.
5. Admittedly, the applicant filed Criminal Application (BA) No.201/2018 before this Court. When the said application was filed, chargesheet was already filed and

after considering chargesheet, this Court (Coram : S.B.Shukre, J.) on 19.3.2018 dismissed rejected the application of the applicant. The present application is second application by the present applicant.

6. It is always open for the applicant to file successive bail application, however the applicant must point out change in circumstance.

7. Order passed on 19.3.2018 in Criminal Application (BA) No.201/2018, is at page No.227 of the compilation of the present application. It shows that the said application was argued by different Advocate and the present application is filed through different Advocate.

8. Merely filing of different applications through different Advocates cannot be change in circumstance.

9. It is submission of learned counsel Shri A.C.Jaltare for the applicant, that Trial is not proceeding. No data in that behalf is filed on record.

10. In this view of the matter, when the first application for grant of bail was considered on merits by this Court and was rejected and there is no change in circumstance, there is no merit in the present application.

11. In view of the above, the criminal application stands rejected and disposed of as such.

JUDGE

!! BRW !!

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