

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 BAIL APPLICATION NO. 1473 OF 2019

SANDIP S/O. ASHOKRAO HIWALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Ghanekar Nilesh S.
APP for Respondent-State : Mr. S. B. Narwade

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CORAM : V. K. JADHAV, J.
DATED : 03RD DECEMBER, 2020

PER COURT :-

1. Learned counsel for the applicant submits that by order dated 29.11.2018, this Court (Coram : P. R. Bora, J.) has disposed off Bail Application No. 1366 of 2018 as withdrawn with liberty to file a fresh application before the trial court. Thereafter, by order dated 28.03.2019, this Court (Coram : P. R. Bora, J.) has disposed off Bail Application No. 77 of 2019 as withdrawn. Learned counsel submits that thereafter the co-accused persons, against whom charge sheet has been submitted under Section 299 of Cr.P.C., came to be arrested and some of them are released on bail by the Sessions Court. The applicant, on this change in

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circumstance and also on the principle of parity, has filed this application for getting released on bail. It appears that the applicant, instead of approaching the Sessions Court, has directly filed the present application for regular bail.

2. Learned counsel for the applicant, thus on instructions, seeks leave to withdraw this application with liberty to the applicant to file an application before the Sessions Court on the aforesaid change in circumstance so also on the principle of parity.

3. Leave granted. The application is disposed off as withdrawn with liberty to the applicant to file an application for regular bail before the Sessions Court on the above mentioned change in circumstance so also on the principle of parity. Upon filing of such application, the Sessions Court may decide the same on its own merits.

(V. K. JADHAV, J.)

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