

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 2846 OF 2019

Valaram Parkharam Choudhary .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. A. N. Lalla i/b. Lalla & Lalla, Advocate, for the Applicant
Ms Veera Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 16.01.2020

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. Heard learned counsel for the parties.

2. This is the second Anticipatory Bail Application preferred by the Applicant. The first Anticipatory Bail Application filed by the Applicant was rejected by this Court (Coram : Revati Mohite Dere, J.) vide order dated 07.08.2017. The said order is on page No. 37 of the Application.

3. By this second Anticipatory Bail Application, the Applicant once again seeks pre-arrest bail in connection with C. R. No. 132 of 2015 registered with the L. T. Marg Police Station, Mumbai, for the alleged offences punishable under Sections 408 & 420 of the Indian Penal Code.

4. Learned counsel for the Applicant states that the change of

circumstance is that after the first Anticipatory Bail Application was rejected, a report under Section 169 of the Code of Criminal Procedure was filed qua the Applicant, in a case registered against the Applicant in Rajasthan. He submits that this is the change of circumstance warranting / interference in the aforesaid Anticipatory Bail Application.

5. Learned APP opposed the Application. She submits that there is no change of circumstance warranting interference in the earlier order dated 07.08.2017. She submits that in any event, this Court has rejected the Anticipatory Bail Application on merits and not on the ground that the Applicant was involved in the commission of an offence of murder in Rajasthan.

6. On 07.08.2017, this Court rejected the Applicant's Anticipatory Bail Application on merits. The Anticipatory Bail Application was rejected on merits after considering the facts in the present C. R. No. 132 of 2015 and not on the ground that the Applicant was involved in the commission of murder of one Ramesh Mali at Rajasthan.

7. Considering the aforesaid, no interference is warranted in the impugned order dated 07.08.2017. The Application stands rejected accordingly.

(REVATI MOHITE DERE, J.)