

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

CRIMINAL APPLICATION (ABA) NO. 67 OF 2020

Dharmendra s/o Abhayraj Sharma .Vs. State of Maharashtra, through PSO,
PS, Dhantoli, Nagpur

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

Court's or Judge's orders.

Mr.S.M. Bhangde. , Advocate for applicant.

Mr. N.R. Rode, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : FEBRUARY 03, 2020.

This is a second successive bail application for anticipatory bail. The applicant can always file successive bail application however he must show change in circumstance.

The first application of the applicant was registered as Criminal Application (ABA) No.360/2019 and the said application was considered on its own merits by this Court (Coram: Manish Pitale, J.) on 24.07.2019. After hearing the learned counsel for the parties and after considering the application, this Court was pleased to reject the said application.

Though the said application was rejected on its own merits, the applicant did not challenge the same before the Hon'ble Apex Court, is the submission made by the learned counsel for the applicant.

The statement is accepted.

The applicant has not surrendered before the law. Therefore, the investigating officer was required to file charge-sheet against the applicant under Section 299 of the Code of Criminal Procedure since the applicant was absconding.

The case of prosecution and applicant was already considered on its own merit in Criminal Application (ABA) No.360/2019 and applicant did not challenge the order passed therein. No case is made out. The application is rejected.

JUDGE

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