

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 181 OF 2021**

Vishnu s/o Babasaheb Dhakane,  
Age : 45 years, Occu. Agri. & Business,  
R/o Takali Manur, Tq. Pathardi,  
District Ahmednagar

**APPLICANT**

**VERSUS**

The State of Maharashtra,  
through its Investigation Officer,  
Pathardi Police Station, Tq. Pathardi,  
District Ahmednagar

**RESPONDENT**

-----  
Mr. N.B. Narwade, Advocate for the applicant  
Smt. R.P. Gaur, A.P.P. for the respondent/State  
-----

**CORAM : MANGESH S. PATIL, J.**

**DATE : 25.02.2021**

**PER COURT :**

This is a successive application for anticipatory bail. The earlier application bearing Anticipatory Bail Application No.1000 of 2020 was withdrawn by the applicant on 08.12.2020.

2. The learned Advocate for the applicant fairly concedes that the earlier application was withdrawn after this Court had expressed its disinclination to grant anticipatory bail on merits.

3. The applicant avers that post-rejection of his earlier anticipatory bail application, some of the accused from the counter FIR have been granted interim protection by the Supreme Court by the order dated 12.01.2021 passed in Petition for Special Leave to Appeal (Cri.) No.6724/2020.

4. With respect, the ground being put forth to indicate that there is a change in circumstances since rejection of the earlier application for anticipatory bail, is not sustainable. It is not an order passed in respect of some co-accused from the same crime, but the accused from the counter FIR have been granted interim protection.

5. It is in view of such peculiar state-of-affairs, when it is a successive application for anticipatory bail, the earlier having been rejected on merits, in the absence of any material change in circumstances, the application is not maintainable.

6. Suffice to refer to the decision of the Supreme Court in the case of *G.R. Ananda Babu Vs. State of Tamil Nadu and another; Criminal Appeal No.84 of 2021 (Arising out of SLP (Cri.) No.213 of 2021 dated 28.01.2021*.

7. The application is rejected.

[MANGESH S. PATIL]  
JUDGE

