

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 BAIL APPLICATION NO.455 OF 2021

PRATAP BALAJI LAD
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Applicant : Mr. Shejwal Arun S
APP for Respondent: Mr. R.V. Dasalkar
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CORAM : V. K. JADHAV, J.
DATED : 31st AUGUST, 2021

PER COURT:-

1. Heard learned counsel for the applicant.
2. This is successive bail application for bail in connection with crime No. 0221 of 2019 registered with Nanded Rural police station for the offences punishable under Sections 302 r.w. 34 of I.P.C. and under Section 4/27 of Indian Arms Act, which is now registered as Sessions Case No. 319 of 2019.
3. Learned counsel for the applicant submits that even though it is the case of the year 2019, the trial court has not framed the charge and as such, the trial is yet not commenced.
4. For the entire year 2020 and in this year also, physical hearing before the trial court was not permitted because of COVID-19 pandemic. At present, as per the recent SOP, the physical hearing

before the trial court is now permitted.

5. Furthermore, by order dated 29.6.2020 this Court has dismissed the earlier bail application bearing No. 85 of 2020 filed by the present applicant as withdrawn. It has been specifically observed in the said order that after hearing learned counsel for the applicant for some time, when the court expressed disinclination to consider the application, learned counsel for the applicant, on instructions, sought leave to withdraw the application. Accordingly leave was granted. The application came to be dismissed as withdrawn. There is no change in circumstances as such. Learned counsel appearing for the applicant has also not disputed that there is no change in the circumstances as such. There is no reason to entertain this successive bail application on the same grounds.

6. In view of above, bail application is hereby rejected.

7. The applicant is at liberty to file application for expeditious hearing of the case before the trial court and upon filing such application, the trial court shall consider the same.

(V. K. JADHAV, J.)

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