

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.865 OF 2021
(Sudhakar s/o Jalindar Dound Vs. The State of Maharashtra)

.....
Mr. Hanumant P. Jadhav, Advocate for the applicant
Mr. P.N. Kutti, A.P.P. for the respondent/State
.....

CORAM : MANGESH S. PATIL, J.

DATE : 22.10.2021

PER COURT :

Heard.

2. This is a successive application for anticipatory bail, earlier having been withdrawn after this Court expressed its disinclination to grant anticipatory bail on merits after hearing the learned Advocate for the applicant.

3. Needless to state that the earlier application bearing Anticipatory Bail Application No.496/2021 was withdrawn in the month of June 2021 and instead of surrendering, the applicant has chosen to wait till date to move this successive application.

4. According to the learned Advocate for the applicant, the only changed circumstance is the fact that pursuant to the departmental enquiry regarding the alleged misappropriation, the applicant has deposited the

amount for which he has been held guilty.

5. The learned A.P.P. submits that the applicant is still to pay an amount of Rs.95,000/- and odd. The learned Advocate for the applicant submits that even the applicant is ready to deposit that amount.

6. In my considered view, subsequent conduct of the applicant in depositing the amount misappropriated by him is wholly irrelevant, more so in respect of this successive application for anticipatory bail.

7. The Supreme Court in the case of *G.R. Ananda Babu Vs. State of Tamil Nadu and others; Cri.A. No.84 of 2021; S.L.P.(Cri.) No.213 of 2021*, decided on 28.01.2021, has laid down the parameters within which a successive application for anticipatory bail can be entertained. The applicant fails to meet any of those parameters.

8. The application is rejected.

[MANGESH S. PATIL]
JUDGE