

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

901 ANTICIPATORY BAIL APPLICATION NO.1048 OF 2021

**FAHEEM JAMEEL SHAIKH
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Yadkikar Amit A
APP for Respondent : Mr. A.A. Jagatkar.

**CORAM : MANGESH S. PATIL, J.
DATE : 29.10.2021.**

PER COURT :

This is a successive application for anticipatory bail, the earlier having been rejected by this Court on 11.02.2021.

2. I have heard the learned for the applicant. He submits that the applicant was merely a supplier of goods pursuant to the E-Tender floated by the Municipal administration. The committee appointed by the Collector has also not found that he having failed to supply the goods for which he was paid. The entire process for floating the E-Tender and placing the order was strictly in accordance with a Government Resolution of the year 2017 which was not brought to the notice of this Court on the previous occasion. There is no material to demonstrate that he has committed any breach of the terms and conditions of the supply agreement. He is being roped in only because of the statements of the co-accused. He is ready to cooperate the Investigating Officer. His custodial interrogation is not necessary.

3. I have considered the submissions and perused the papers including the order dated 11.02.2021.

4. Suffice for the purpose to observe that after hearing the arguments, by

a detailed speaking order the earlier application for anticipatory bail was rejected and one need not repeat the reasons mentioned therein which are self speaking.

5. In spite of such decision on merit way back on 11.02.2021 the applicant has neither challenged that order nor has he surrendered before the Investigating Officer.

6. It is to be borne in mind that though a successive application for anticipatory bail is maintainable theoretically, there are inherent limitations while considering such successive request which have been clearly laid down by the Supreme Court in the case of **G.R. Anand Babu Vs. State of Tamil Nadu; Crl Appeal No.84/2021 (Arising out of SLP (Cri) No.213 of 2021 dated 28.01.2021**

7. It is also necessary to bear in mind this is not a review. Therefore, whatever the ground that were available and mentioned in the reasons while rejecting the earlier application cannot be reconsidered, even on consideration of new documents, otherwise there would be no end.

8. The circumstances now being put forth on behalf of the applicant for reconsideration of his request, in my considered view, are not sufficient grounds to enable this Court to reconsider the request in its entirety.

9. The conduct of the applicant coupled with the above circumstances are sufficient to refuse to entertain his request. The Application is rejected.

(MANGESH S. PATIL, J.)

mkd/-