

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

901 BAIL APPLICATION NO.1203 OF 2021

**DARSHAN AMBADAS PARDESHI
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Choudhary M.S.
APP for Respondent : Mr. P. N. Kutti.
Advocate for Assist to APP : Mr. Pawar Pawan B.

CORAM : MANGESH S. PATIL, J.
DATE : 07.12.2021.

PER COURT :

This is a successive application for bail in Crime No. I-75/2018 registered with Deopur police station, Dhule, District Dhule for the offences punishable under Section 302, 304, 341, 120-B, 109, 143, 147, 148 & 149 of the Indian Penal Code and under Section 4/25 of the Arms Act and under Section 37(1)(3) read with Section 135 of the Maharashtra Police Act. His earlier application for bail was withdrawn after this Court expressed its disinclination to grant bail on merits on 30.02.2019.

2. On a query, the learned advocate for the applicant could not demonstrate as to what are the facts and circumstances which would compel this Court to reconsider the matter after rejection of the earlier application for bail.

3. The learned advocate could not point out any other fact except the order passed by the Supreme Court in connection with a similar request by the accused No. 1 who has been granted a liberty to apply for bail afresh if the trial was not over within six months.

4. This order of the Supreme Court (Exh. X-2) was passed on 09.07.2021

and even that period of six months is still to be over.

5. Learned advocate for the intervener informs that already the charge has been framed and the next date for trial is fixed on 09.12.2021. Even the request by the prosecution for expediting the trial has been pending before the Trial Court.

6. Apart from the above state of affairs, even the accused before the Supreme Court was aged more than 70 years which is not the case with the applicant who is barely of 26 years.

7. In view of the decision of the Supreme Court in the matter of **G.R. Ananda Babu Vs. State of Tamil Nadu and Ors, Criminal Appeal No. 84/2021 (arising out of S.L.P (Cri.) No. 213 of 2021 decided on 28.01.2021**, in the absence of any supervening and clinching circumstance, the applicant is not entitled to renew his request for bail.

8. The Application is rejected.

(MANGESH S. PATIL, J.)

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