

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1384 OF 2021

Vishwanath Balaram Mhatre ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. A. R. Pandey i/b. Eqa Juris, Advocate for the Applicant.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 14th JUNE, 2021

PER COURT:

1. This is second application for anticipatory bail before this Court. The previous application was rejected by this Court vide order dated 12th February, 2021.

2. While rejecting the said application it was contended by learned counsel for the applicant that applicant purposes to challenge the order before the Supreme Court and hence interim protection may be extended for a period of four weeks. In view of submission, the interim protection granted by this Court was extended by four weeks. Subsequently, it was again extended by four weeks vide order dated 12th March, 2021.

3. Learned counsel for the applicant submits that pursuant to rejection of the application for anticipatory bail preferred by the

applicant before this Court, charge-sheet has been filed against arrested accused on 1st March, 2021. It is submitted that the applicant has been falsely implicated in this case. The applicant was not present at the place of incident. The statement of the witness Rupali Mhatre and Shalik Mhatre do not implicate the applicant, although they are eye witnesses.

4. The contentions with regards to plea of *alibi* and on merits were considered in previous application which was rejected by this Court vide order dated 12th February, 2021. It is pertinent to note that the First Information Report in this case was registered on 15th March, 2020. Applications before the Sessions Court were rejected on 18th July, 2020 and 3rd December, 2020. No ground is made out for entertaining this application is made out. Learned counsel also submitted that interim protection granted in previous application, which was extended after its rejection, may be extended. It is submitted that on account of various constraints applicant could not approach the apex Court. Such submission cannot be accepted.

ORDER

Anticipatory Bail Application No. 1384 of 2021 is rejected and stands disposed of accordingly.

(PRAKASH D. NAIK, J.)