

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

ANTICIPATORY BAIL APPLICATION NO.1629 OF 2021

Mohammed Iqbal Mandai .. Applicant

Versus

State of Maharashtra .. Respondent

.....
Mr.Faizal Shaikh, Advocate for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : JULY 19, 2021.

P.C. :

The previous application was disposed of vide order dated 2nd March, 2021. The order indicate that the application was argued at length and since the Court was not inclined to grant relief, learned counsel for the applicant on instructions seeks permission to withdraw the application. However, it was submitted that the applicant was on anticipatory bail, which was cancelled and three weeks time was granted to surrender.

2 Considering the request of the applicant, time to surrender was granted and the applicant was permitted to

surrender before the investigating officer on 23rd March, 2021 at 11:00 a.m., the application was allowed to be withdrawn and disposed of.

3 Learned counsel for the applicant submits that now there is change in circumstance. He relied upon some documents including statement under Section 164 of Cr.P.C., and, contended that there is now material to entertain this application.

4 Learned APP strongly opposed and contended that the application is not maintainable.

5 From the previous order dated 2nd March, 2021, it is apparent that application was heard and Court was not inclined to grant relief. The application was voluntarily withdrawn and applicant had sought three weeks time to surrender. The applicant has availed of facility of time to surrender, but did not surrender and after expiry of three weeks, now he has preferred the second application for anticipatory bail. In view of earlier order this application cannot be entertained and the same is rejected.

(PRAKASH D. NAIK, J.)