

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 BAIL APPLICATION NO.24 OF 2022

PRAKASH GANPATI @ GANPAT JAGTAP

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. Z.H. Farooqui, Advocate for the applicant

Mr. A.M. Phule, APP for the respondent

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 29th JULY, 2022

ORDER :

1 Present application is the second bail application filed by the present applicant. His earlier Bail Application No.313 of 2021 for regular bail was rejected by this Court on 08.04.2021.

2 Heard learned Advocate Mr. Z.H. Farooqui for the applicant and learned APP Mr. A.M. Phule for the respondent.

3 The learned Advocate for the applicant submits that though his earlier bail application has been rejected by this Court, the matter has not

proceeded further. The applicant has been falsely implicated. He is behind bars since 20.10.2020. He is ready to abide by the terms of the bail.

4 Per contra, the learned APP is strongly opposing the application and submits that when a detailed order was passed by this Court while rejecting the application on 08.04.2021, no case is made out to grant the bail, as there are no change in the circumstances.

5 The reasons stated by this Court while rejecting the Bail Application No.313 of 2021 on 08.04.2021 are definitely required to be considered. While rejecting the said application this Court had considered the entire charge sheet. From the contents of the First Information Report it can be seen that the applicant and co-accused had promised the informant and others that they will get job in Military if they spend amount of Rs.6,00,000/-. Thereafter, the informant and others, without being appeared through the competitive examination, were given appointment letter dated 16.05.2019, stated to be issued by Military Engineering Services, Delhi Cantonment, Delhi, Training and Recruitment. The said letter was having seal of Government of India, Ministry of Defence. The informant and others were asked to go to Patna in Bihar State for medical examination and thereafter they were also taken to Jabalpur in Madhya Pradesh as well as in

Guwahati in Assam State for medical examination. Definitely, the role attributed to the applicant in the entire charge sheet was a positive role. So also, when the offence is in respect of recruitment in Military services which has to do with the security of the country, then, no sympathy can be shown to the applicant. Once again the application of the applicant stands rejected.

(Smt. Vibha Kankanwadi, J.)

agd