

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.1425 OF 2022
IN
CRIMINAL APPEAL NO.335 OF 2018

Mohammad Arifuddin s/o Gulam
Dastagi Farooqui

... Applicant

Versus

The State of Maharashtra
Through Kotwali Police Station,
Tq. and Dist. Parbhani

... Respondent

...

Mr. P. S. Paranjape, Advocate for applicant.
Mr. B. V. Virdhe, APP for respondent No.1.

...

CORAM : SMT. VIBHA KANKANWADI AND
RAJESH S. PATIL, JJ.

DATE : 3rd October, 2022

ORDER :-

1. Heard learned Advocate Mr. P. S. Paranjape for the applicant and learned APP Mr. B. V. Virdhe for the respondent - State.

2. We have heard learned Advocate Mr. Paranjape for the applicant at length, however, it will not be out of place to mention here that earlier Criminal Application No.1332 of 2018 was filed by the present applicant in Criminal Appeal No.335 of 2018 for suspension of sentence and releasing him on bail. This Court by order dated 30.06.2018 had rejected the said application. Under

such circumstance, the second bail application cannot lie. Thereafter, one more application was filed by the present applicant bearing Criminal Application No.516 of 2019 and this Court by order dated 22.02.2019 rejected the same contending that there is no change in the circumstance. Now also there is no change in circumstance except the fact that though the hearing of the appeal was expedited, this Court is unable to take up the hearing of the appeal out of turn. It will not be out of place to mention here that the jail appeals of the year 2015 are pending and there is huge pendency. There is only one Division Bench available to deal with all types of criminal matters which pertain to Division Bench. In view of the fact that there is no change in the circumstance, the application stands rejected.

[RAJESH S. PATIL]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm