

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

919 BAIL APPLICATION NO.1633 OF 2022
WITH APPLN/3447/2022 IN BA/1633/2022

RAMESH SHANKAR CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Syed G. R.
APP for Respondent-State : Ms. V. S. Choudhari.
Advocate for Complainant to assist APP : Mr. Joydeep Chatterji.

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CORAM : S. G. MEHARE, J.
DATE : 06.12.2022

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the complainant assisting learned APP.
2. The applicant was granted bail before filing the charge sheet. However, for violating the bail conditions, his bail was cancelled. Since then, he is behind bar.
3. Learned counsel for the applicant would submit that the present application is filed after filing the charge sheet. There is no material against the applicant. The applicant is a senior citizen. He has no role to play. Hence, he may be granted bail.

4. Learned APP raised an objection that the conduct of the applicant is the material aspect to be considered in this case. He has violated the terms of bail granted to him by the Court. There is no change-in-circumstances. Once, the bail is cancelled for violation of the condition, the applicant has no right to claim the bail. Learned counsel assisting learned APP also advanced the same arguments.

5. The applicant was granted bail, but he violated the bail conditions and lost the confidence. Tampering with the witness is a ground to refuse the bail. Here in the case, the applicant has been taken in custody on cancelling his earlier bail application for violation of the bail conditions.

6. In the circumstances, the applicant has no case for bail. Hence, the application stands dismissed.

7. Criminal Application No.3447 of 2022 is allowed.

(S. G. MEHARE, J.)

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vmk/-