

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

ANTICIPATORY BAIL APPLICATION NO.270 OF 2022

Viren @ Virendra Buddhasen Gupta Applicant
Versus
The State of Maharashtra Respondent

Mr. Avinash B. Patil, Advocate for the Applicant.
Smt. A.A. Takalkar, APP for the Respondent-State.

CORAM :SARANG V. KOTWAL, J.
DATE : 9th FEBRUARY, 2022
[Through Video Conferencing]

P.C. :

1. The applicant's anticipatory bail application No1581/2021 was rejected by this Court by a reasoned order dated 23.9.2021. The same applicant has preferred this second application for the same relief. The only change in circumstance, claimed by learned counsel for the applicant, is filing of the charge-sheet on 9.11.2021. He submitted that this is the change in circumstance and in the charge-sheet there is no mention of the applicant's name. The applicant is shown as an absconding accused.

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2. The earlier order dated 23.9.2021 was a reasoned order and it was observed that the custodial interrogation of the applicant was necessary. The applicant was not arrested from 23.9.2021. He did not surrender and he is still absconding.

3. The role against the applicant is referred to in the charge-sheet in the statements of Ashok Lahoti, Rajkamal Kendre and Amit Sawant. This all requires custodial interrogation. There is no change in the circumstance which would enable the applicant to raise the same grounds again and again. I see no reason to take a different view. Hence, the application is rejected.

(SARANG V. KOTWAL, J.)

Deshmane (PS)