

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

BAIL APPLICATION NO.3168 OF 2022

Abdul Mutallif Lal Baig

... Applicant

v/s.

The State of Maharashtra

.... Respondent

Mr. Aamir M. Shaikh for the Applicant.

Ms. V.V. Shinde, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 21st DECEMBER, 2022.

P. C. :-

. It is brought to my notice that there is a typographical error in the order dated 26/04/2022 in Criminal Bail Application No.3061 of 2021 wherein in the 2nd line, the words 'pre-arrest bail' is wrongly typed instead of 'bail'. The same be corrected to read as '**bail**'.

2. Necessary corrections be carried out in the order dated 26/04/2022.

3. This is the 2nd Bail Application filed by the Applicant who is facing trial in Sessions Case No.206/2019 pending on the file of Additional Sessions Court, Thane for offences punishable under sections 363, 364(A), 302, 201 r/w. 34 of the Indian Penal Code.

4. The previous bail application being Criminal Bail Application No.3061/2021 was withdrawn on 26/04/2022. A perusal of the order dated 26/04/2022 reveals that the said Application was withdrawn after arguing the matter at length and when this Court expressed its disinclination to grant bail.

5. Learned counsel for the Applicant concedes that there is no change in circumstance since the date of withdrawal of the previous bail application. The only ground raised is that the trial has not yet commenced.

6. The Applicant is facing trial for offence under section 364(A) and 302 IPC. The 2nd Bail Application has been filed within six months from the date of dismissal of the 1st Bail Application. Considering the gravity of the offence, the fact that the trial has not commenced since last six months or that the Applicant is in custody since last three years is not a ground for bail.

7. Bail Application stands dismissed.

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(SMT. ANUJA PRABHUDESSAI, J.)