

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

**BAIL APPLICATION NO.959 OF 2023**

**SHIVA SITARAM KALE  
VERSUS  
THE STATE OF MAHARASHTRA**

...  
Advocate for Applicant : Mr. Kale Pramod D  
APP for Respondent/State : Mr. S.P. Deshmukh  
...

**CORAM : S.G. MEHARE, J.**

**DATED : JUNE 28, 2023**

**PER COURT:-**

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.379 of 2022 registered with Waluj Police Station, District Aurangabad for the offence punishable under Section 302, 307, 328, 323, 324, 143, 147, 148, 149 of the Indian Penal Code.
3. The earlier bail application of the applicant was withdrawn as the Court had expressed disinclination to grant him bail. Now, the applicant is seeking bail on the ground that the complainant of the present case has raped his wife and no one is there to look after her. He claimed that this is a change in circumstances. Without going into detail of change in circumstances, the copy of the FIR lodged by the wife of the applicant reveals that he has two major

sons and two daughter-in-law to look after her and they are residing together. In these set of facts, the prayer of the applicant cannot be considered. Hence, the application stands dismissed.

**(S.G. MEHARE, J.)**