

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

BAIL APPLICATION NO.1212 OF 2023

POPAT GANPAT AADMANE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Jadhav Satej S
APP for Respondent/State : Mr. S.B. Narwade

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

DATED : AUGUST 03, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The bail application of the applicant was turned down by this Court thrice. Lastly, he moved an application before the learned Sessions Judge for temporary bail on the ground of examination of his son and surgery of his mother. The Court has specifically observed that the examination period of his son was already over and surgery of his mother was neither serious nor life threatening and accordingly dismissed the temporary bail application.
3. Learned APP has rightly pointed out that the last bail application of the applicant was for temporary bail and not a regular bail. However, he directly approached this Court for regular bail. The applicant ought to have filed a regular bail application before the Sessions Court and then approach this Court. The successive bail application shall be filed but the applicant has to satisfy the Court that

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there were change in circumstances. The applicant was to point out the change in circumstances before the Sessions Court before approaching this Court. Hence, no relief as claimed by the applicant can be granted and on this sole ground, the application deserves to be dismissed.

4. Learned counsel for the applicant would submit that every time the matter has been unnecessarily adjourned as learned counsel appointed by the applicant to assist the A.P.P. remain absent and the matter went on adjourned without progress. He requested to direct the learned Sessions Judge to avoid the casual adjournments and conduct the trial on priority being under trial prisoner's case.

5. To safeguard the interest of all, the learned Additional Sessions Judge, Ahmednagar is requested to look into the matter and avoid the casual adjournments at the instance of the prosecution and endeavour be made to conduct the under trial cases. If the Court is heavily burdened and it would not be possible to conduct the case, the learned Additional Sessions Judge, Ahmednagar may write to the learned Principal District and Sessions Judge for appropriate directions.

6. In above terms, the application stands dismissed.

(S.G. MEHARE, J.)