

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

ANTICIPATORY BAIL APPLICATION NO.1510 OF 2023

SANTOSH RATANRAO BANDEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. R. S. Deshmukh a/w Ms.
Y. A. Namde i/by Mr. D. R. Deshmukh
APP for Respondents: Mr. S. P. Sonpawale

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CORAM : R.M. JOSHI, J
DATE : OCTOBER 26, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 127 of 2021 registered with Itwara Police Station, Dist. Nanded for the offences punishable under Sections 307, 324, 325, 504, 506 read with Section 34 of the Indian Penal Code.

2. At the outset, learned APP has drawn attention of the Court to the order passed by the Hon'ble the Apex Court on 18.07.2022 in Petition for Special Leave (Cri) No. 5782/2021. According to him, by the said order present Applicant was directed to surrender before the trial Court and apply for regular bail. Thus, according to him, application cannot be

entertained.

3. Learned Senior Counsel for the Applicant though does not dispute the said fact, however, it is his contention that there is change in circumstance after order of Hon'ble Apex Court as charge-sheet is filed subsequently.

4. There is no dispute about the fact that the order dated 18.07.2022 still subsist. By said order, Applicant was directed to surrender before trial Court and apply for regular bail. This Court has no power to pass order contrary to the order passed by Hon'ble the Apex Court.

5. In view of above, application stands dismissed.

(R.M. JOSHI, J.)

Malani