

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1660 OF 2023

1. Tanveer Saeed Khatik, Age 22 years, 2. Samir Sajid Khatik, Age 23 years, Both Occu. Labour, R/o. Waghil, Taluka Chakisgaon, District Jalgaon	..	Applicants (Accused)
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Versus

State of Maharashtra Through P.S.O. Chalisgaon Rural, District Jalgaon	..	Respondent
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Mr. Sumant S. Kulkarni, Advocate for Applicants;
Mr. S. P. Tiwari, APP for Respondent/State

CORAM : S. G. MEHARE, J.

DATE : 04-11-2023

PER COURT :-

1. Heard the learned counsel for the applicants.
2. This is a successive bail application. Applicants seek bail in C.R.No.493 of 2022 registered with Police Station Chalisgaon Rural, District Jalgaon, for the offences punishable under Sections 302, 307, 326, 324, 143, 147, 148, 149, 109 of the Indian Penal Code.

3. Learned counsel for the applicants states that the earlier counsel did not raise few grounds. Now he is reading the grounds from the same material which was already before the Court while deciding the earlier bail application. He would rely on the following cases:-

- (i) ***Babu Sing and others versus The State of U.P., 1978 A.I.R. SC 527***
- (ii) ***Suresh Irappa Hatti versus State of Maharashtra, Laws(Bom)-2004-7-24.***

4. There shall be new material and development. So, the Court can give different consideration while deciding successive bail application. The grounds which the applicant's counsel wanted to raise, were already available at the time of earlier bail application. Raising another grounds from the same material is not the change in the circumstances. The change in the circumstances is a condition precedent for successive bail applications. In the present case, there are no change in circumstances. The case laws do not help the applicants.

5. Hence, the application stands dismissed.

**(S. G. MEHARE)
JUDGE**