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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.963 OF 2023**

Abu Tlha Imtiyaz Khan	...Applicant
vs.	
State of Maharashtra	...Respondent

None for the Applicant.
Mr. S. R. Agarkar APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 8TH JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP for the Respondent-State.
2. Learned APP pointed out the order dated 14th March 2023, passed by this Court. It is at page 14. The Applicant has sought liberty to withdraw the Application, as the Court has expressed disinclination to grant anticipatory bail.
3. Now, this fresh bail application is moved on the ground of the change of circumstances. My attention is invited to para 4, ground number (ff). It mentions that proper facts were not pleaded in the first Anticipatory Bail Application. There is reliance placed on some

chatting in between them through WhatsApp. Its copy is filed on page No.25 onwards. Few photographs are also annexed at page 24. In WhatsApp chatting, no date is visible. It may be prior to registration of the offence or afterwards also. If it was prior to passing aforesaid order, those messages ought to have been produced before the Court. In ground 4(f), the Applicant has mentioned that he is going to marry with the first informant. Admittedly, the first informant is minor and having age of 16 years, when the FIR is registered on 10th January 2023.

4. Hence, the above circumstances cannot be considered as change of circumstances. There is no merit in this Application and it is disposed of. I was compelled to make these observations even though there is no one present on behalf of the applicant as change of circumstances is only ground pleaded.

[S. M. MODAK, J.]