

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.986 OF 2023

Abdul Ahamad Abdul Nabi Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Ms Afreen Shaikh for the Applicant.

Mr. Shrikant Yadav, APP for Respondent-State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 5th APRIL, 2023.

P. C. :-

1. This is the second application under Section 438 of the Cr.P.C. filed by the Applicant herein apprehending his arrest in C.R. No.2159 of 2022 registered with Sakinaka Police Station, Mumbai.

2. By order dated 22/12/2022 this Court (Coram: M.S. Karnik, J.) had allowed the Applicant to withdraw the previous application being Anticipatory Bail Application No.3450 of 2022. Learned APP has placed on record copy of the said order. A perusal of the said order reveals that Advocate for the Applicant had withdrawn the application simplicitor without any liberty to file fresh application. The second bail application was filed on 31/03/2023 and has been

circulated after the change in assignment. The application does not disclose reasons for withdrawing of the previous application. The practice of withdrawing the application simplicitor and filing fresh application after change of roster without there being any change in fact situation, is nothing but an attempt of forum shopping, which is not conducive to judicial discipline.

3. Under the circumstances, no case is made out to entertain the successive bail application. Hence, the Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)