

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

**ANTICIPATORY BAIL APPLICATION NO.1558 OF 2023
WITH
INTERIM APPLICATION NO.2231 OF 2023
IN
ANTICIPATORY BAIL APPLICATION NO.1558 OF 2023**

Rakesh Awadhesh Singh @ Rakesh
Awadh Singh

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Dilip Sawant with Ms Harshada Morey i/b. Mr. Manish Kanojia for
the Applicant.

Mr. Shambhu M. Jha for the Intervenor.

Mr. S.H. Yadav, APP for the Respondent -State.

Mr. Pushpak Ingale, PI, Samta Nagar Police Station, present.

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PARAB

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CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 11th JULY, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R. No.1438 of 2022 registered with Samata Nagar Police Station, Mumbai, for the offences punishable under Sections 141, 143, 145, 147, 427 and 448 of the IPC. It is stated that subsequent to the registration of the crime, one Rohit Singh was arrayed as an accused and offences under Sections 452, 465, 467, 468 and 471 of the IPC have also been added.

2. The Applicant herein had earlier filed Anticipatory Bail Application No.3590 of 2022, which came to be dismissed on merits by this Court (Coram : M.S. Karnik, J.) vide order dated 03/01/2023. The Applicant thereafter filed another application being Anticipatory Bail Application No.321 of 2023, which was withdrawn and after withdrawal of the said application, allegedly on the ground of changed circumstances, the Applicant filed yet another application before the Sessions Court being Anticipatory Bail Application No.590 of 2023, which came to be dismissed.

3. Previous bail application was rejected on merits. Subsequent bail application is filed on the ground that now he had come across certain documents from the Notary. This cannot be a ground to entertain the subsequent application, particularly considering the fact that the earlier application was dismissed on merits. 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. Hence, the application is dismissed.

4. Interim application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)