

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 2814 OF 2022****IN****CRIMINAL APPEAL NO. 66 OF 2019**

Jitendra Jagdish Dube

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr.Prashant Pandey a/w Mr. Irfan Unwala Advocate for Applicant.

Mrs. M. H. Mhatre, APP for Respondent-State.

**CORAM : A. S. GADKARI AND  
PRAKASH D.NAIK, JJ.****DATE : 18<sup>th</sup> JANUARY, 2023.**

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**P.C.:-**

. This is successive application for bail preferred by Applicant.

The first Application preferred by Applicant bearing Criminal Application No.1179 of 2018 was dismissed as withdrawn by the Co-ordinate Bench by its Order dated 28<sup>th</sup> January 2020.

2. The subsequent Applications i.e Interim Application No.1369 of 2020 preferred on the ground of medical treatment, though was considered sympathetically, the relief of bail was not granted to the Appellant. The Co-ordinate Bench by its Order dated 25<sup>th</sup> January 2021 had permitted the Applicant to file an application for furlough leave for his medical treatment which was acceded to by the Competent Authority and Applicant was

released on furlough leave for stipulated period.

3. Perusal of record indicates that, except passage of time there is no change in circumstance least to say any substantive change in circumstance which was prevailing on 28<sup>th</sup> January 2020 i.e. the date on which first application of Applicant was considered on merits by this Court.

4. In view of the above, we find no reason to consider present application on merits afresh.

Application is accordingly rejected.

5. As the Applicant is in jail for more than 9 years, Registry is directed to list the Appeal on final hearing board under the caption 'Accused in Jail' chronologically as per period undergone by the accused person.

**(PRAKASH D. NAIK, J.)**

**(A. S. GADKARI, J.)**