



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3326 OF 2023**

Dayashankar Brindavan Tiwari	...	Applicant
versus		
The State of Maharashtra	...	Respondent

Mr. Ramesh C. Mishra, for Applicant.
Mr. S.H.Yadav, APP for State.
Mr. Haneet Shaikh, API, Waliv Police Station, present.

CORAM: N.J.JAMADAR, J.

DATE : 30 NOVEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is the second pre-arrest bail application. The first ABA No.3065 of 2023 was withdrawn as the Court expressed its disinclination to entertain the prayer for pre-arrest bail. At that stage, a statement was made on behalf of the applicant that the applicant would surrender before the jurisdictional Court. In view of the said statement, this Court had clarified that in the event of such surrender, the jurisdictional court shall decide the application for bail on its own merits and in accordance with law.
3. The learned Counsel for the Applicant now submits that the applicant is suffering from renal ailment and the said ground was not considered while disposing of the first application.

4. It would be suffice to note that the said application was withdrawn as the Court in the backdrop of the antecedents of the applicant had expressed its disinclination to entertain the prayer for pre-arrest bail. There is no propriety in entertaining the instant application.
5. The application stands rejected.

(N.J.JAMADAR, J.)