



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

**ANTICIPATORY BAIL APPLICATION NO. 3626 OF 2022
WITH
INTERIM APPLICATION NO. 676 OF 2023**

Muazzam Maqsood Bhaiji ...Applicant
Versus
State Of Maharashtra and Others ...Respondents

Mr. Raju Desai with Mr. Raghavan Sarathy, Mr. Akhil Sarathy, Ms. Prachi Kolembekar, Ms. Ruchita Chavan i/b Thodur Law Associates, for Applicant.

Mr. Sandeep R. Karnik, for Applicant in IA-676/2023.

Mrs. Ashwini A. Takalkar, APP for State.

Mr. Rahul Pawar, API, Navi Mumbai Police Station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 21st AUGUST, 2023

P.C.:-

- 1) Heard the learned Counsel for the parties.
- 2) The learned Counsel for the applicant submits that this second application for pre-arrest bail is preferred on account of the change in circumstances.
- 3) If the application is based on the change in circumstances, it would be appropriate for the applicant to approach the Court of Session in the first instance.

- 4) The learned Counsel for the applicant seeks leave to withdraw the application with liberty to file a second application for pre-arrest bail before the Court of Session.
- 5) The application thus stands disposed with liberty to approach the Court of Session.
- 6) In the event such an application is preferred the Court of Session shall decide the same in accordance with law.
- 7) All the contentions, including the aspect as to whether there is a change in circumstances warranting the exercise the discretion afresh, are kept open.
- 8) In view of disposal of the Anticipatory Bail Application, the Interim Application also stands disposed.

[N. J. JAMADAR, J.]