



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO. 266 OF 2024
IN BA/2350/2023**

ANISUDDIN SAYEDUDDIN SHAIKH

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. R.V. Gore

Advocate for Respondent/State : Mrs.Pratibha J. Bharad

Advocate for respondent no.2 : Mr.S.J. Salunke

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**CORAM : SANJAY A. DESHMUKH, J.
DATED : 16th JANUARY, 2024.**

PER COURT :-

Not on board. On being mentioned taken on board.

2. This is an application for staying the order passed by this Court dated 15.01.2024 in Bail Application No.2350/2023. This Court allowed the application for granting bail by giving full opportunities to the parties. The prayer was not immediately made for granting stay. This application is filed on next day of the passing of the order.

3. The learned advocate for the applicant is relying upon the authority of the Principal Seat in Bail Application No.2927 of 2022 (Anil Vasantrao Deshmukh Vs. Central Bureau of Investigation and another) decided on 12th December, 2022. The para 26 of the said order reads as under :-

“26. After the order is pronounced, learned counsel for the CBI requested that this order be made effective after 10 days from today. This request is strongly opposed by learned counsel for the applicant.

However, considering the nature of the controversy, in my opinion, it would be in the interest of justice to make the order effective after a period of ten (10) days from today.”

4. Heard learned advocate for the respondent. The application is strongly opposed.

5. Perused the application. The applicant-informant has legal right to proceed against the impugned order to the Hon’ble Supreme Court.

6. The facts of this case and the case of **Anil Deshmukh (cited supra)**, are different, which can be seen from the reasons given in the order of this Court. Further reasons given while passing the impugned order are different. Therefore, the above authority is not useful to the applicant/informant for granting stay as prayed for.

7. The respondent is arrested on 8th November, 2023. Considering the reasons mentioned in the order passed by this Court, the application for granting stay cannot be allowed.

8. The application is therefore rejected.

(SANJAY A. DESHMUKH, J.)