



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO. 214 OF 2024

Sadik Nabi Shaikh And Others

....Appellants

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....

Mr. G.J. Kore, Advocate for Appellants.

Mr. D.B. Bhangе, APP for Respondents No. 1 and 2.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 05th MARCH, 2024

ORDER :

1. Criminal Appeal No. 778 of 2023 filed by appellants was argued on merits and since this Court was not inclined to grant relief, appellants sought permission to withdraw the appeal and their appeal was dismissed as withdrawn on 02.01.2024.

2. Appellants filed application before Trial Court for anticipatory bail, on the ground that charge sheet is filed on 27.11.2023. Said application is rejected by the Trial Court vide order dated 03.02.2024. Hence, the present appeal.

3. Heard learned advocate for appellant and learned APP for respondents-State. Perused the record.

Bhagyawant Punde

4. The Trial Court has rightly rejected the application of appellants holding that, investigation is not completed *vis-a-vis* the applicant-accused. There is sufficient material on record against appellants showing their involvement in the crime.

5. Since, charge sheet is filed against appellants under section 299 Cr.P.C., investigation to the extent of appellants is incomplete. Their custodial detention is necessary for effective investigation and therefore filing of charge sheet cannot be said to be change in circumstance to grant anticipatory bail to appellants. Appeal being devoid of merit is dismissed.

[NITIN B. SURYAWANSHI, J.]