

The State of Maharashtra & Anr. ... Respondents.

Shri Pandit Kasar i/b Shri Rohit Mangsule, Adv. for the Applicant
Ms Supriya N. Kak, APP for the State.

DATED : 24TH JULY, 2024.

1. Heard.

2. This is an application for cancellation of bail granted by the trial Court on 02/09/2020. The learned counsel for the applicant mainly harping upon a ground that once the application is rejected on 10/07/2020, in absence of any change in circumstances, the successive bail application ought not to have been entertained by the trial Court.

3. It is submitted that the ground on which it was entertained is also not sustainable in the eyes of law. It is submitted that because the higher Court granted *ad-interim* anticipatory bail to the co-accused, the same cannot be treated as change in

circumstances. He, therefore, submits that on this ground the order granting bail needs to be cancelled.

4. It is further argued that the learned trial Court has not considered the allegations against the accused and the total amount involved in the offence, which is required to be recovered.
5. In the above referred backdrop, I have perused the record and also the impugned order dated 02/09/2020.
6. As far as the maintainability of the successive bail application after rejection of the first application is concerned, the learned trial Court has recorded reasons in detail for the same and furthermore also recorded the reasons for grant of bail. Thus, after going through the reasons recorded by the trial Court, I have no doubt that the ultimate conclusion arrived at by the trial Court is just and proper. Even otherwise, now after grant of bail the period of four years has been lapsed and in between there is no complaint about misuse of liberty by the accused.
7. In the circumstances, as there is no extraneous reason to cancel the bail, the application is **rejected**.
8. However, considering that the trial is pending for last four years, the learned trial Court is directed to expedite the same.

(ANIL S. KILOR, J)