

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

ANTICIPATORY BAIL APPLICATION NO. 2254 OF 2024

Aslam Asir Shaikh	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Anant R. Deokate i/by Vishal S. Kakde for the Applicant.
Mr. R. M. Pethe, APP for Respondent-State.

**CORAM: MANISH PITALE, J.
DATE : 30th AUGUST 2024**

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. This is the second application for anticipatory bail filed by the applicant before this Court. The earlier application bearing Anticipatory Bail Application No. 1462 of 2024 was dismissed as withdrawn on 20th June 2024. On the said date, this Court observed as follows :

“1. After arguing for some time and when this Court was inclined to dismiss the present application, the learned counsel for the applicants, on instructions, seeks permission to withdraw the application.

2. Hence, dismissed as withdrawn.”

3. It is evident that when the Court was against the applicant on merits, he withdrew the application. Thereafter, charge-sheet

was filed and co-accused persons approached the Sessions Court afresh for grant of anticipatory bail. Their application was dismissed after filing of charge-sheet.

4. The applicant has again approached this Court on the ground that charge-sheet is now filed and an attempt is made to re-argue the matter on merits.

5. The charge-sheet has been filed against the applicant under Section 299 of the Code of Criminal Procedure, 1973, as he has remained absent and not joined investigation.

6. This Court has perused the material on record. It is found that the presence of the applicant along with weapon of assault is clearly mentioned, not only by the informant but also by the other eye-witnesses. Injury certificate shows corresponding injuries and therefore, the presence and the specific role of the applicant is made out. No case is made out for granting anticipatory bail. The application is rejected.

MANISH PITALE, J.