

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

ANTICIPATORY BAIL APPLICATION NO.2532 OF 2024

Saket Rameshchandra ShrivastavaApplicant
Versus
The State of Maharashtra
and another Respondents

Mr. Sachin Chandan, Advocate for the Applicant.
Mr. S.H. Yadav, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 11th SEPTEMBER, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.72/2023 registered at Rabodi Police Station, Thane on 6.4.2023 under Sections 409, 420, 467, 468, 471, 417 read with 120-B of IPC. This is the second time that the Applicant has approached this Court for the same relief. On the previous occasion, the Applicant had filed Anticipatory Bail Application No.175/2024. It was argued for some time and when the Court expressed disinclination to grant relief in that Application, it was

unconditionally withdrawn. It is reflected in the order dated 14.2.2024 passed in A.B.A. No.175/2024.

2. Now this second Application is filed again on the merits of the matter. Absolutely no change in the circumstances is shown from 14.2.2024. All the points on merits were available to the Applicant. The matter was argued on merits and when the Court expressed its disinclination to grant relief, it was withdrawn.

3. Learned counsel for the Applicant submitted that the Applicant is suffering from sleep apnea since 2017 and, therefore, his Application may be considered.

4. Even assuming that the Applicant is suffering from such ailment, that ground was also available to the Applicant when his earlier Anticipatory Bail Application was withdrawn on 14.2.2024. There is absolutely no change in the circumstances.

5. Learned APP, on instructions, states that the Applicant is avoiding arrest. The investigating agency has

made efforts on multiple occasions to trace him, but he was not found.

6. Thus, it is clear that the Applicant is avoiding the due process of law. There is no change in the circumstances from the earlier order. Therefore, I am not entertaining this Application. However, if the Applicant is having some health issues, the investigating agency, after his arrest, shall pay special attention to his needs for medical treatment. In case, the Applicant prefers Regular Bail Application, after his arrest, it shall be decided expeditiously taking into account his health condition and all the medical documents in that behalf. Such an Application shall be decided on its own merits. The Application is rejected.

(SARANG V. KOTWAL, J.)

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