

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 267 OF 2024****IN****CRIMINAL APPEAL NO. 790 OF 2022**

Kishan Jayprakash Nagar

... Applicant

V/s.

The State of Maharashtra & Anr.

... Respondents

Mr.Sanjeev P. Kadam, senior Advocate a/w Adv. Varsha M. Thorat, Adv. Pratik Deshmukh i/b Adv. Amit Icham for Applicant.

Adv. Farhana Shah a/w Adv. Amna Khan appointed Advocate for Respondent No.2.

Adv.M.H. Mhatre, A.P.P. for Respondent-State.

**CORAM : A. S. GADKARI AND
ARIF S. DOCTOR, JJ.**

DATE : 28th January 2025.

P.C. :

1) This is a third consecutive Application for enlargement on bail during the pendency of Appeal.

The first Application i.e. Interim Application No. 2606 of 2022 was heard on merits and when this Court was not inclined to grant any relief, learned counsel for the Applicant had sought leave to withdraw it with liberty to file a fresh Application, if the substantive Appeal is not taken up for final hearing within a period of one year from that date.

1.1) The subsequent Application bearing Interim Application No. 4361 of 2022, which was preferred in contravention of the statement made

by the learned counsel for the Applicant was also dismissed in *limine*.

The said Orders dated 23rd November 2022 and 17th March 2023, were assailed before the Hon'ble Supreme Court in Special Leave Petition (Criminal) Diary No(s). 17440/2023. The Hon'ble Supreme Court by its Order dated 19th May 2023, was pleased to dismiss the said Special Leave Petition.

1.2) Record clearly indicates that, there is no change in circumstance since 23rd November 2022, till today except the fact that, the Applicant has undergone incarceration of about 2 ½ years after conviction.

2) In view thereof, we find no reason to entertain present Application on merits once again.

3) Application is accordingly rejected.

4) Registry is directed to list the Appeal on 'Final Hearing Board' as per its own turn.

(ARIF S. DOCTOR, J.)

(A.S. GADKARI, J.)