

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

Interim Application No. 3941 of 2024

In

Criminal Appeal No.575 of 2022

Sabhapati Chabinath Bind

... Applicant

V/s.

The State of Maharashtra and ors.

... Respondents.

Mr. Aniket Vagal for the applicant.

Mr. B.V. Holambe Patil, APP for the State.

Ms. Shivani Kunder (appointed Advocate) for Respondent Nos.2 & 3.

**CORAM : SARANG V. KOTWAL
& S.M. MODAK, JJ.**

DATE : 15 January 2025.

P.C. :

This is the second time that the applicant has approached this Court for the same relief of bail pending appeal. On the earlier occasion he had preferred Criminal Interim Application No.1769/2022 in Criminal Appeal No.575/2022. The order dated 19 August 2022 records that after arguing for sometime when the Court was not inclined to suspend the applicant's sentence and enlarge him on bail, learned counsel for the applicant sought leave to withdraw the application. He had submitted that the applicant would prepare the paper-book privately and would circulate the said appeal for final hearing. Therefore, the application was dismissed as

withdrawn.

2. Permission was granted to the learned counsel for the applicant to prepare paper-book privately and it was further directed that after preparation of the paper-book, the appeal was to be listed under caption 'for directions' for fixing date of hearing. Instead of taking recourse to the liberty granted by the earlier Bench, the learned counsel for the applicant has preferred a fresh application for the same relief of bail which he had not pressed on the previous occasion. The offence was quite serious and applicant was sentenced to suffer imprisonment for the remainder of his natural life.

3. Considering the earlier order whereby the applicant had withdrawn his bail application without any liberty, we are not inclined to entertain this application. It is accordingly dismissed.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)