



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL BAIL APPLICATION NO. 381 OF 2025

Aakash @ Badshah s/o Annaji Somkuwar

Vs.

State of Maharashtra, Thru. PSO, PS Nandanvan, Nagpur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Jagruti S. Kurwe, Advocate for applicant.
Mr. N.B. Jawade, APP for respondent/State.
Mr. A.R. Sorde, Advocate for respondent No.2.

CORAM : SMT. URMILA JOSHI PHALKE, J.

DATE : 06.05.2025

By order dated 21.04.2022, learned counsel Shri Pratik Lingayat is appointed but prior to that respondent has already engaged the counsel, in view of that learned counsel Shri Pratik Lingayat is discharged.

2. The reply filed by the respondent No.2 is taken on record.

3. This is an application for grant of bail.

4. Learned APP has pointed out that 27 offences are registered against the present applicant, not a single statement is made by the applicant in

the application as to his criminal antecedents. He placed reliance on the Hon'ble Apex Court in the case of ***Munnesh Vs. State Of Uttar Pradesh in Special Leave Petition No(s).1400/2025*** wherein in para 11, it is observed that a growing trend is being noticed of individuals, seeking from this Court the concession of bail or concession of protection from arrest, not disclosing in the special leave petitions their involvement in other criminal cases. In such cases where involvement is not disclosed, on a *prima facie* satisfaction that long incarceration without reasonable progress in the trial is invading the right to life of the accused or that the offences for which the FIR has been registered are not too serious, notices are issued and only thereafter, information of criminal antecedents is being provided in the counter affidavits filed by the respective respondents-States, as in the present case. The result is that this Court, being the apex Court of the country, is being taken for a ride. This Court has shown leniency in the past but we think it is time that such state of affairs is not allowed to continue further.

5. By considering these observations in the present case also though 27 offences are registered against the present applicant. There is no statement

made by him, and on pointing out the same, the learned counsel for the applicant submitted that though she tried to gather the information from the present applicant as to his criminal antecedents, he has not given any details about the same. It itself is sufficient to show that he has concealed the fact not only from the Court but also from his Counsel.

6. In view of the above circumstances, learned counsel for the applicant seeks permission to withdraw the application with liberty to file afresh by giving all the details.

7. In view of that, application is disposed of as withdrawn.

(SMT. URMILA JOSHI PHALKE, J)