



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1626 OF 2025

BHAUSAHEB NAVNATH ZADKE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Sahebrao M. Pandit

APP for Respondents-State : Mr. P. P. Dawalkar

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CORAM : SACHIN S. DESHMUKH, J.

Date : 17th January, 2026

PER COURT :-

1. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 774 of 2021 registered with Vivekanand Chowk Police Station, Dist. Latur for the offences punishable under Sections 302 read with 34 of the Indian Penal code.

2. Heard the learned counsel for litigating sides.

3. The learned counsel for the applicant submits that this a successive bail application and the earlier application has been rejected by this Court. When confronted about the change in circumstance, the learned counsel for application could not demonstrate the same.

4. Although this is a successive bail application, there is no statement in the application disclosing the details of rejection of earlier bail application nor the copy of the same is placed on record.

5. Upon perusal of the material on record including the charge-sheet indicates that no fresh grounds are raised in the application and the same are already dealt by this Court in the previous order. As such, the successive bail application in the absence of any other fresh grounds or change in circumstance, does not warrant consideration. Furthermore, non-disclosure of the prior order of this Court regarding rejection of the bail application amounts to material suppression of fact.

6. The Hon'ble Apex Court in case of **Kalyan Chandra Sarkar and Ors. Vs. Rajesh Ranjan and Ors. [(2004)7 SCC 528]** has observed as under :

12. In regard to cases where earlier bail applications have been rejected there is a further onus on the court to consider the subsequent application for grant of bail by noticing the grounds on which earlier bail applications have been rejected and after such consideration if the court is of the opinion that bail has to be granted then said court will have to give specific reasons why in spite of such earlier rejection the subsequent application for bail should be granted."

7. Equally, as per the order dated 19.01.2024 rendered by the Hon'ble Apex Court in **Kusha Duruk Vs. The State of Odisha (Criminal Appeal No. 303 of 2024)**, coupled with this Court's Circular dated 23.01.2024, it was obligatory for the applicant to disclose the details and orders of all previous bail applications while presenting a successive application; however, this mandatory requirement has not been complied with by the applicant.

8. In the aforesaid backdrop, the applicant has failed to point out any fresh grounds for presenting this successive bail application and the existing grounds have already been addressed. As such, I am not inclined to exercise discretion in favor of the applicant.

9. In that view of the matter, the bail application being devoid of merits, is **rejected**.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi