

Spl.(Ch.A.)C.No. 01/2022
State..Vs.. Prashant Chandale & Ors.

Bail Order below Exh. 14
(Dt./- 23rd November, 2022)

. Read the application and say filed by learned APP. Perused record of the case. Heard learned advocate for accused and APP for State.

1] Accused is being prosecuted for the offences punishable under sections 363, 366, 376(3), 504 and 506 of the Indian Penal Code and under sections 4, 21 (1) of the Protection of Children from Sexual Offences Act, 2012.

2] After going through the record and the documents filed on record, it is seen that this is the third application filed by accused for grant of bail. The first application bearing Cri.Bail Appln.No. 9/2022 was rejected by this court on 13.01.2022. As the bail application was rejected, accused had filed Cri.Appln. (BA) No. 155/2022 before the Hon'ble Bombay High Court, wherein observed as under :

“ After hearing Shri Vyas, learned counsel for the applicant for some time, when the court was about to dismiss the application, Shri Vyas learned counsel, on instructions, seeks to withdraw the application ”. Accordingly the said application was dismissed as withdrawn.

3] Thereafter again accused filed second application before this court bearing Cri.Bail Appln.No.257/2022. This court has

observed that there was no change in circumstances and therefore, the said application was also rejected on 15.07.2022.

4] After rejection of the second application, the accused has filed second bail application bearing Cri.Appln.(BA) No.955/2022 before the Hon'ble Bombay High Court, which was rejected holding that earlier application bearing Cri.Appln.(BA) No.155/2022 was dismissed as withdrawn vide order dated 16th March, 2022 and though, there was no change in circumstance, the present application came to be filed within five months of the rejection of the first application and accordingly the Hon'ble Bombay High Court had rejected the said application.

5] While rejecting the aforesaid two bail applications, this court has passed reasoned orders and the Hon'ble Bombay High Court has also rejected the bail applications filed by the accused after hearing on merits. That apart, after going through the third bail application, it is seen that there is absolutely no change in circumstances and therefore, the application is not tenable. It deserves to be rejected. Hence, I, proceed to pass the following order.

Order

The application stands rejected.

Sd./-

Wardha
Date 23.11.2022

(V.T.Suryawanshi)
Extra Jt Addl Sessions Judge &
Spl. Judge, Wardha.

CERTIFICATE

I affirm that the contents of this P.D.F. file are same word to word as per original order.

Name of Steno : S.R.Bire (G.-II),
Court Name : Extra Jt. Addl. Sessions Judge, Wardha.

Order Date : 23.11.2022
Order checked : 23.11.2022
and signed by
Presiding Officer
on. : 23.11.2022

Uploaded on : 23.11.2022