

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL MISC.APPLICATION NO. 4533 of 2023**

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RAJU @ RAJYA S/O RAYSEN SINGAD (BHIL)
Versus
STATE OF GUJARAT

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Appearance:

MR BJ PRIYADARSHI(6016) for the Applicant(s) No. 1

MR PRANAV TRIVEDI, APP for the Respondent(s) No. 1

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CORAM:**HONOURABLE MS. JUSTICE GITA GOPI**

Date : 31/03/2023**ORAL ORDER**

Trial has already begun. Successive bail application is without any change of facts situation. Even when Criminal Misc. Application no.3884 of 2022 came to be withdrawn on 24.3.2022, the Trial Court was examining the witnesses and as per the record, Bharat Kishor was examined on 30.11.2021. However, learned advocate Mr. Priyadarshi for the applicant submits that the trial has almost been stalled. There is no progress in the matter. Criminal Misc. Application no.17516 of 2020 was not pressed while liberty was granted to the applicant to file an appropriate application only on the ground of change of circumstances. For

entertaining the successive bail application, change of circumstances in the form of change of facts situation has to be brought to the notice of the Court, which the applicant has failed to do so. For him, the bail for the co-accused has been change of circumstances and thus, Mr. Priyadarshi has prayed for parity. This Court has taken note of the fact that earlier two applications were withdrawn. Liberty was granted only to file application only on the ground of change of facts situation, which the learned advocate failed to point out. Hence, the application stands rejected. However, as the applicant is in jail since last 3 years and the matter is under Sections 457, 380 and other allied sections of IPC, the learned Trial Court Judge is directed to decide the matter as expeditiously as possible.

(GITA GOPI,J)

Maulik