

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1445 OF 2013

Raju Natha Kapse

.....Applicant

V/s.

State of Maharashtra

....Respondent

Mr. Rushikesh Mundargi i/b Mr. Amit B. Thorat for Applicant  
Ms. P. P. Shinde APP for the State.

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATED : DECEMBER 24, 2013**

**PC :**

Mentioned. Not on board. Taken on board.

1) Applicant has approached this Court without filing an application before the Sessions Court for seeking relief under section 438 of Code of Criminal Procedure, 1973.

2) Judicial Propriety requires that the applicant shall first approach the Sessions Court seeking the relief under section 438 of Code of Criminal

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Procedure, 1973.

3) Learned counsel for the applicant seeks liberty to to withdraw the application.

4) Liberty as prayed for is granted in the interest of justice with further liberty to approach the Sessions Court for seeking relief under section 438 of Code of Criminal Procedure, 1973.

Application stands disposed of as withdrawn.

**(SMT. SADHANA S. JADHAV, J.)**