

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1437 OF 2014

The State of Maharashtra **.... APPLICANT**

V E R S U S

Mohan Dattatraya Shelke & Ors. **.... RESPONDENTS**

.....

Mrs. Pratibha Bharad, A.P.P. for Applicant – State.

.....

WITH

CRIMINAL APPLICATION NO. 1436 OF 2014

The State of Maharashtra **.... APPLICANT**

V E R S U S

Rakesh Pralhad Patil & Anr. **.... RESPONDENTS**

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Mrs. Pratibha Bharad, A.P.P. for Applicant – State.

Mr. P.S.Pawar, Advocate for R – 1 & 2.

.....

WITH

CRIMINAL APPLICATION NO. 1438 OF 2014

The State of Maharashtra **.... APPLICANT**

V E R S U S

Dnyaneshwar Sardar Pardeshi & Ors. **.... RESPONDENTS**

.....

Mrs. Pratibha Bharad, A.P.P. for Applicant – State.

.....

WITH

CRIMINAL APPLICATION NO. 1439 OF 2014

The State of Maharashtra

.... APPLICANT

V E R S U S

Jabbar Saiyad Bhagwan & Ors.

.... RESPONDENTS

.....

Mrs. Pratibha Bharad, A.P.P. for Applicant – State.

Mr. S.P.Bhrahme, Advocate for R – 1 to 4,

6 to 10, 13,14,16,17,19.

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CORAM : V.M.DESHPANDE, J.

DATE : 20th APRIL, 2015

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PER COURT :

1. All these applications are filed by the State of Maharashtra for cancellation of anticipatory bail in favour of respective non applicants granted on 24/01/2014 by learned Additional Sessions Judge, Dhule in connection with Crime No. 3/2014 registered with police station Dondiacha and Crime No. 7/2014 at said place. F.I.R. No. 3/2014 is lodged by Javed Rasul Teli, whereas F.I.R. No. 7/2014 is lodged by Rakesh Pralhad Patil. These two F.I.R. are lodged for the

same incident. It appears that fight between two different religion has occurred, result of registration of these two crimes.

2. Learned Additional Sessions Judge has found that no specific role is attributed against each of the non applicant in the present applications. Therefore, he granted anticipatory bail in favour of the non applicants. While granting anticipatory bail in favour of the non applicants, condition was put on them. It is not the case of the prosecution that any of the non applicant has committed breach of the said condition.

3. I also heard Mr. S.P.Bhrahme, learned counsel for the complainant in F.I.R. No. 3/2014. He and the learned A.P.P. have submitted that since last one year no untoward incident has happened and there is communal harmony between two groups in the village. In that view of the matter, nothing can be achieved by cancelling the anticipatory bail granted in favour of each of the non applicant, which in my view, was rightly granted by the trial Court after exercising its discretion.

4. In that view of the matter, Present Criminal Applications are dismissed.

[V.M.DESHPANDE, J.]