

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

**CRIMINAL APPLICATION NO. 3460 OF 2015**

Abhyudaya co-op Bank Ltd., Mumbai  
Through its Branch Manager,  
Branch at Garkheda Parisar,  
Garkheda, Aurangabad.

...Applicant

versus

The State of Maharashtra & anr.

...Respondents

.....  
Mr. S.S. Deve, Advocate for applicant  
Mrs. M.A. Deshpande, A.P.P. for respondent No.1  
Mr. U.N. Shete, Advocate for respondent No. 2  
.....

**CORAM : N.W. SAMBRE, J.**

**DATE : 1<sup>st</sup> SEPTEMBER, 2015**

**ORAL ORDER :**

This application is by the complainant in Crime No. 273 of 2014 punishable under Section 406, 403 of the Indian Penal Code seeking cancellation of ad-interim bail granted to respondent No.2-accused by learned Additional Sessions Judge, Aurangabad on 21/11/2014, further confirmed on 06/01/2015.

2. The cancellation is sought by the applicant on the ground of non-compliance of observations/conditions mentioned in the order of granting bail. Learned Counsel for the applicant has invited attention of this Court to the fact that pursuant to wrong entry

is made in the account of present respondent No.2-accused, the amount of Rs. 3,56,874/- were deposited which were withdrawn by the respondent no.2.

3. The perusal of the order granting bail does not reflect any such conditions, where he was directed to deposit the said amount either in the Court or with the bank.

4. Leave apart, if the present applicant was aggrieved with non-corporation of the said conditions, there were appropriate remedies available to the applicant to that effect, which he has not taken recourse to. Apart from above, the application for cancellation of bail could have been moved before the same Court for violating the condition, if any.

5. For the aforementioned reasons, no case for interference is made out. The application stands dismissed.

6. The applicant will be at liberty to take such steps for the issue raised herein as are available in law.

**[ N.W. SAMBRE, J. ]**