

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4054 OF 2014**[Dropadi @ Tabbu Vijay Rathod vs Sudam Laxman Gaikwad and anr.]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri Mohit Deshmukh, advocate h/f
Shri S.G.Chapalgaonkar, advocate for applicant
Shri S.S.Panale, advocate for respondent no.1
Shri A.V.Deshmukh, A.P.P. for respondent no.2

.....

CORAM : V.M.DESHPANDE, J.**DATED : 27th March, 2015****PER COURT :-**

1] By the present application, the applicant is seeking cancellation of regular bail granted by the learned Sessions Judge, Beed, on 15.7.2014 in Criminal Application No. 444 of 2014, by which the learned Sessions Judge granted bail in favour of the present non-applicant no.1 for the offence punishable under Section 306 r/w 34 of the Indian Penal Code.

2] The learned trial court while granting the bail prior to filing of the charge sheet was having opportunity to go through the investigation papers and after having satisfied himself that the ingredients for the offence punishable under Section 306 were not prima facie found against the present applicant, therefore, granted regular bail.

3] Learned counsel for the applicant Shri Mohit Deshmukh submitted that subsequently the charge sheet is already filed before the court of law.

4] the present application, it is not at all alleged that after non-applicant no.1 was granted bail he has misused the same. After having gone through the impugned order, this court is of the view that the court below has rightly exercised the discretion in favour of non-applicant no.1. Therefore, no interference is called for.

5] In that view of the matter, present application is rejected.

(V.M.DESHPANDE, J.)

dbm/crap4054.14