

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 3615 OF 2015.

SACHIN S/O DHARMARAJ DARADE
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Atul Hawale, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 23rd July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.116/2015 registered with Police Station, Kaij, District - Beed for the offences punishable under Section/s. 395 of the Indian Penal Code.

[2] Heard Mr. Atul Hawale, learned counsel for the Applicant, Mr. A.S. Shinde, learned Additional Public Prosecutor for the State of Maharashtra.

[3] Offence registered against the present Applicant and others is under Section 395 of the Indian Penal Code, which is a serious in nature. Alongwith the present Applicant another accused – Shivaji Raosaheb Darade was also caught hold at the spot itself.

[4] Investigation is in progress and when this court was about to dismiss the application of present Applicant, learned counsel for the Applicant seeks permission to withdraw the present application. Permission is granted. Criminal Application is dismissed as withdrawn.

[5] However, the matter does not spot here. During the course of hearing, the learned counsel for the Applicant has handed over the copy of order dated 6th July, 2015 passed by the learned Additional Sessions Judge, Ambajogai in Criminal Bail Application No.184 Of 2015 where-by the learned trial court has granted regular bail to Shivaji Raosaheb Darade.

[6] Specific role is attributed to co-accused Shivaji also. In that view of the matter, the learned Additional Public Prosecutor submits that Investigating Officer will be instructed to file application for cancellation of bail granted to Shivaji Raosaheb Darade. With these observations, Criminal Application is dismissed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)