

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 4015 OF 2013

Ramesh Tukaram Divte      **....Applicant.**

**Versus**

The State of Maharashtra  
and others      **....Respondents.**

Mr. Mohsin Khan h/f. Mr. S.A. Deshmukh, Advocate for applicant.

Mrs. M.A. Deshpande, APP for State/respondent Nos. 1 and 2.

Mr. S.J. Salunke, Advocate for respondent No. 3.

**CORAM : T.V. NALAWADE, J.**  
**DATED : 4th February, 2015.**

**ORDER :**

1.            The learned counsel for applicant is heard. Seen the order made by the learned J.M.F.C.

2.            It appears that by order dated 3.5.2013 bail was granted by learned J.M.F.C. to the respondent/accused who is involved in a fraud case. There are allegations that he deceived thousands of persons by giving false promise in respect of investment. In the present proceeding, ground is taken that the respondent did not abide the conditions which was to attend the concerned police station twice in a week. As the application is

filed for cancellation of bail on the ground of breach of conditions imposed in bail order, the application ought to have been made before the same Court i.e. the C.J.M. or J.M.F.C. If the applicant has grievance that no other condition was like to deposit some amount as the respondent had allegedly misappropriated the amount of investors, he can challenge the order in Sessions Court on that ground.

3. Disposed of as withdrawn with aforesaid liberty.

**[ T.V. NALAWADE, J. ]**

ssc/