

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

CRIMINAL APPLICATION NO. 6036 OF 2013
WITH
CRIMINAL APPLICATION NO. 6720 OF 2014

Uttam s/o. Shankarrao Panchal **Applicant.**

Versus

The State of Maharashtra & anr. **Respondents.**

Mr. Arun Vyawahare h/f. Mr. G.P. Shinde, Advocate for applicant.

Mr. M.M. Nerlikar, APP for State.

Mr. V.B. Dhage, Advocate for respondent No. 2.

CORAM : T.V. NALAWADE, J.
DATED : 11th February, 2015.

ORDER :

1. The application is filed under section 439 (2) of Cr.P.C. for cancellation of relief of bail granted by the learned Additional Sessions Judge. It appears that the applicant wants to prove that even when there was condition that the accused should not enter the village, he did not leave the village and he continued to live in the same village and thereby he committed breach of the conditions. He wanted to rely on the bailiff report in respect of service of summons. If the applicant wants to challenge the order on the ground of breach of conditions imposed by the learned Additional Sessions Judge, the propriety

requires that applicant should approach the Sessions Court first.

2. With that liberty, the application is disposed of.
3. The other application is disposed of as infructuous.

[T.V. NALAWADE, J.]

ssc/