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

CRIMINAL WRIT PETITION NO.99 OF 2016

Gajanan s/o Kachru Kunde

..PETITIONER

VERSUS

The State of Maharashtra & ors.

..RESPONDENTS

Mr N.R. Thorat, Advocate for petitioner;
Ms R.P. Gaur , Addl. Public Prosecutor for respondent no.1;
Mr C.V. Thombre, Advocate for respondents no.2 to 8

CORAM : N.W. SAMBRE, J.

DATE : 18th April, 2016

ORAL ORDER :

Heard.

2. Respondents – accused were released on bail by the learned Magistrate before addition of offence punishable under section 307 of the Indian Penal Code, after they were detained for more than one month. It is subsequent thereto, section 307 of the Indian Penal Code was added, pursuant to an application by the Investigating Officer.

3. It is required to be noted that the Investigating Officer, at the relevant time when the bail was granted in absence of offence under section 307 of the Indian Penal Code, had given no objection for grant of bail.

(2)

4. After the offence under section 307 of the Indian Penal Code is added, the learned Magistrate dwelt upon the issue as regards entitlement of the respondents – accused to continue on bail and considering the pros and cons, extended the benefit.

5. In view of above, no illegality could be noticed in the impugned order. No case for interference in extra-ordinary jurisdiction of this Court is made out. Criminal Writ Petition fails and stands dismissed.

(N.W. SAMBRE, J.)

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