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

CRIMINAL APPLICATION NO.4525 OF 2015

Amruta D/o Baburao Addale,
minor, through natural guardian
i.e. father Baburao s/o Ramnath
Addale

..APPLICANT

VERSUS

The State of Maharashtra & anr.

..RESPONDENTS

Mr Mohit R. Deshmukh, Advocate for applicant;
Mr S.M. Ganachari, Addl. Public Prosecutor for respondent no.1;
Mr R.G. Hange, Advocate for respondent no.2

CORAM : N.W. SAMBRE, J.

DATE : 14th January, 2016

ORDER :

By the present application under section 439 (2) of the Code of Criminal Procedure, the applicant – complainant seeks cancellation of bail granted to respondent no.2 herein, by learned Additional Sessions Judge, Beed, vide order dated 16th July, 2015, passed below Exh.4, in Special (Chid. Prot.) Case No.35 of 2015.

2. Learned Counsel appearing on behalf of the applicant submits that while releasing respondent no.2 on bail, a condition was imposed on him that he shall not enter village Bhatepuri, Tq. Gevrai, till the decision of the case. However, respondent no.2 has flouted the said condition by entering the said village. Learned Counsel would then urge that on merits also, bail

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ought not to have been granted.

3. Perused the order granting bail. Learned Addl. Public Prosecutor, upon instructions, states that pursuant to the complaint, one Omprakash and Sanjivani have executed a bond, in view of proceedings under section 107 of the Code of Criminal Procedure. So far as respondent no.2 is concerned, no such bond is executed, as he has not entered the village.

4. Apart from above, looking to the nature of the allegations in the first information report and well reasoned order passed by the learned Additional Sessions Judge, in my opinion, no case for cancellation of bail is made out.

5. In view thereof, Criminal Application stands rejected.

(N.W. SAMBRE, J.)

amj