

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

CRIMINAL APPLICATION NO. 5744 OF 2015

**THE STATE OF MAHARASHTRA
VERSUS
DR. GOPAL BHIKAJI BACHIRE.**

APP for Applicant State : Mr.S.M.Ganacharya
Advocate for Respondent : Mr.Imale Ramesh R.**

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**CORAM : N.W.SAMBRE,J.
DATED : 12TH JANUARY,2016**

PER COURT :-

Heard learned APP. The present application is moved u/s 439 of Cr.P.C. for cancellation of bail granted to accused Dr.Gopal in Criminal Application No.4207/15 on 24/8/2015.

2] Learned APP while trying to make out ground for cancellation of bail, would urge that the accused Dr.Gopal was the person behind the entire transaction and he has in fact accepted the amount towards consideration in instalments from Chandrakant which was witnessed by various persons. He would then urge that the custodial interrogation of Dr.Gopal is necessary so as to find out the proof in

the matter as he is witness for agreement to sale.

3] Perused the order granting pre-arrest bail to Dr.Gopal- non applicant herein.

4] It is to be noted that main accused Sandip was released on regular bail by learned trial Court. Apart from above, the role attributed in the crime to the present non-applicant Dr.Gopal is that of witness. This Court has already taken view that the transaction in question is contractual in nature and the appropriate remedy is available to the complainant.

5] In this view of the matter, no case for cancellation of bail is made out. Application is rejected.

(N.W.SAMBRE,J.)

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