

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION NO.42 OF 2016

(The State of Maharashtra through P.I.LCB,Gondia..vs..Shivkumar Shankarlal Sharma)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri P.K.Sathianathan, Spl.P.P. for State.
Shri M.I.Dhatrak, Advocate for non-applicant.

CORAM : V.M. DESHPANDE, J.
DATED : JULY 17 , 2017

This is an application under Section 439(2) of Code of Criminal Procedure for cancellation of bail that was granted by learned Additional Sessions Judge, Gondia on 21/6/2016 in Misc.Cri.(Bail)Appln.No.131/2016, Crime No.94/2016, for the offence punishable under Sections 294,307,332,353,506 r/w Section 34 of the Indian Penal Code.

After having heard learned Special P.P. for State and after having gone through the impugned order it is crystal clear that no error was committed by the learned Additional Sessions Judge, Gondia in granting the bail. The learned Judge has imposed certain conditions upon the non-applicant and it is not the case of the applicant that at any point of time the non-applicant has breached any condition. Of course, if there is any breach of the conditions by the non-applicant then it is always open for the applicant to move the application for cancellation of bail. Merely, because another view is possible

that itself is not sufficient to disturb the well reasoned order.
Further no perversity is noted in the order.

Hence, application stands rejected.

JUDGE

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