

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

CRIMINAL APPLICATION NO.7/2018

Chandrakala w/o Rameshwar Bramhe ..vs.. Chabiram s/o Gururam
Dewanganand anr.

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

Court's or Judge's orders.

Mr. S. Meshram, Advocate for applicant.

Mr. M.Pathan, A.P.P. for non applicant no.2.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 22, 2018

1. Heard learned counsel for the applicant.
2. This is an application for cancellation of bail. The learned counsel for the applicant submits that the learned Additional Sessions Judge, Nagpur granted anticipatory bail in favour of the non applicant no.1 on certain conditions. However, the non applicant no.1 is not following any of the said conditions.
3. Since, the application is not filed on the ground that the Court has not considered the material and/or the available material was not at all considered while granting the anticipatory bail. The application is filed only on the ground of breach of conditions.

In view of the law laid down in **State of Maharashtra Vs. Sanjay Damle**, reported in **1999(3) Mh. L. J. 881**, the applicant will have to file the application for

cancellation of bail before the very same Court which has granted the anticipatory bail.

4. Mr. Meshram, learned counsel for the applicant submits that he wishes to withdraw the present application with liberty to file an application for cancellation of bail before the very same Court which granted anticipatory bail to the non applicant no.1.

5. The application is disposed of as withdrawn with liberty to the applicant to file an application for cancellation of bail before the Additional Sessions Judge-10, Nagpur.

It is made clear that the present application is not considered on merit by this Court.

JUDGE

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