

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

35 APPLICATION FOR CANCELLATION OF BAIL NO.88 OF 2021

ANKUSH BABURAO @ RAGHUNATH SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Vikram S Undre
APP for Respondents: Mr. S.B. Narwade.

...

CORAM : PRAKASH D. NAIK J.

DATE : 20TH OCTOBER, 2021.

PER COURT:

The applicant is original complainant. Respondent No.3 is accused in Crime No. 85 of 2020 registered with Shivaji Nagar police station, Dist. Beed for the offence punishable under Sections 409, 406, 418, 420, 448, 471 r/w. 34 of IPC and section 120 B of IPC.

2] Respondent No.3 was granted anticipatory bail by the learned Additional Sessions Judge, Beed vide order dated 19.12.2020 on certain terms and conditions. Grievance of the applicant/complainant is that there is breach of conditions by the respondent No.3. She was directed to attend Investigating Officer on every Wednesday till filing of charge sheet and to cooperate with the investigation. It is further submitted that the Investigating Officer had submitted a report to the Court of Sessions stating that the respondent No.3 had not complied with the conditions of attending the I.O. Learned APP submitted that

respondent No.3 has not attended the I.O. at any point of time.

3] Investigating Officer, vide report dated 16.2.2021, had made a grievance before the learned Sessions Judge that the respondent No.3 had not complied with the order of the Sessions Court. In these circumstances, it would be appropriate that the applicant prefers an application for cancellation of bail before the Sessions Court. The learned counsel for the applicant submits that applicant may be permitted to withdraw this application with liberty to prefer an application for cancellation of bail before the Court of Sessions at Beed.

: ORDER :

[i] The application is allowed to be withdrawn with liberty to prefer an application for cancellation of bail before the Court of Sessions, Beed. It is clarified that this court has not expressed any view on the merits of the application.

[ii] The application stands disposed of.

**[PRAKASH D. NAIK]
JUDGE**

grt/-