

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

907 ANTICIPATORY BAIL APPLICATION NO.711 OF 2021

**BASHIR AHMED MANZUR AHMED
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr.Syed Azizoddin R.
APP for Respondent-State : Mr. A.V.Deshmukh
...

**CORAM : SANDEEP K. SHINDE , J.
DATE : 14th July, 2021.**

P. C. :

1. Without first approaching to the Sessions Court, applicant has directly approached this Court under concurrent jurisdiction in terms of provisions of Section 438 of Code of Criminal Procedure ('Cr.P.C.' for short). Though the Sessions Court and the High Court are conferred with concurrent jurisdiction under Section 438 of Cr.P.C., it is inherent in the scheme of the things that when two alternative forums are made available under law for seeking pre arrest protection, one lower and another higher, it is prudent to approach to the lower Court first and then to the higher.

2. In view of this, let applicant first to approach the Court of competent jurisdiction.

3. Anticipatory bail application is disposed of.

**(SANDEEP K. SHINDE)
JUDGE**