

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****21 CRIMINAL WRIT PETITION NO.1538 OF 2017**

MAHESH NAGARI SAHAKARI PATH SANSTHA LTD.
BHINGAR THROUGH ITS MANAGER
GAJANAN S/O. KARAMDAS BHANDARE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND ANR

..RESPONDENTS

...

Advocate for Petitioners : Gaware Niteen V.
APP for Respondents: Mr. G. O. Wattamwar

...

**CORAM :T.V. NALAWADE AND
B.U. DEBADWAR, JJ.**

DATE : 22.01.2021.

PER COURT :-

Seen the relief clause. Heard the learned counsel h/f Shri. Gaware. Seen the order made by the learned Single Judge in Criminal Application No. 6514 of 2016 with other applications. Those applications were filed for relief of anticipatory bail and the learned single Judge granted anticipatory bail subject to some conditions like depositing the amount. It is contention of the applicant that amount is not deposited and so those applicants/ accused needs to be arrested. If there is breach of the any condition, imposed for granting anticipatory bail then proper proceeding needs to be filed for that and same Court can take action like cancellation of the anticipatory bail.

2. In view of this circumstances, prayer made in the present matter cannot be granted. Matter is disposed of with aforesaid observations.

3. Learned counsel for the petitioner submitted that learned Single Judge has observed that it can be presumed that anticipatory bail which was granted is cancelled and so the arrest can be effected. In that case also learned single Judge needs to be moved and the proceeding needs to be filed before the learned single Judge.

(D.U.DEBADWAR, J.)

(T.V. NALAWADE, J.)

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