

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.877 OF 2021

Kakasaheb Bhimrao Sapate

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr.Sachin K. Hande a/w Abhay Jadhavar, Advocate for Applicant.
- Mr.S.H. Yadav, APP for the State/Respondent.
- Mr.Ajit Kenjale a/w Prinyanka Chaugule, Advocate for Original Complainant.

CORAM : SARANG V. KOTWAL, J.

DATE : 25th MARCH, 2021

P.C. :

1. Learned counsel for the Intervenor is permitted to file his Vakalatnama in this application.
2. In this application, learned APP as well as learned counsel appearing for Intervenor pointed out that the Applicant had approached this Court earlier for the same relief vide

Anticipatory Bail Application (ST) No.5069 of 2020. That application was disposed of vide order dated 25/01/2020 passed by this Court (Coram : C. V. Bhadang, J.).

3. The order reads thus;

“After hearing the learned counsel for the application for some time, when this Court was not inclined to favorably consider the application, the learned counsel for the application, on instructions, seeks leave to withdraw the application. The Criminal application is disposed of as withdrawn.”

4. This order is suppressed from the Court in the present application. There is no mention of this order in the application. When this fact was pointed out to the learned counsel for the Applicant, he submitted that the learned counsel as well as advocate on record was not made aware of this order by the Applicant. He therefore seeks unconditional withdrawal of this application.

5. Permission is granted to withdraw this application unconditionally. However, considering this conduct on behalf of the Applicant, the cost of Rs.10,000/- is imposed on the Applicant. The cost shall be deposited before the trial Court within a period of four weeks from today.
6. If such cost is not deposited, the the trial Court shall take steps in accordance with law for recovery of that amount.
7. Application is disposed of.

(SARANG V. KOTWAL, J.)