

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 244 OF 2015

Rambhau Nana Pathare .. Applicant
Versus
The State of Maharashtra and Anr. .. Respondents
...

Mr. L. D. Zade - for the Applicant.

Mr. S. V. Gavand, APP for the State.
...

CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 21st OCTOBER, 2021

P.C:-

1. This is an application under section 439 of Code of Criminal Procedure, 1973 for cancellation of bail granted to Respondent No. 2 vide order dated 26.03.2015 in Anticipatory Bail Application No. 584 of 2015.

2. Pursuant to the First Information Report lodged by one Rambhau Nana Pathare, in Crime No. 336 of 2014 which was registered against Respondent No. 2 at Kasarwadwali Police Station for offence under sections 406, 420, 504, 506 of the

Indian Penal Code apprehending arrest in the said crime the Respondent No. 2 applied for bail and was granted anticipatory bail vide order dated 26.03.2015 by the Additional Sessions Judge, Thane, mainly on the ground that transaction between applicant and Respondent No. 2 was an agreement for providing dumpers on contractual basis. The vehicles are already seized and not with the Respondent No. 2. So no case was made out for the custodial interrogation. The order is not perverse. Moreover the Respondent No. 2 has not violated the conditions of the bail or misused the liberty.

3. Learned APP further states that charge sheet has already been filed and case is pending trial.

4. Under these circumstances, the Application is devoid of on merits and is accordingly dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)