

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO.903/2021

Subham S/o. Vilas Nistane Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. A. R. Ingole, Advocate for Petitioner.
Mr. S. M. Ghodeswar, A.P.P. for Respondent/State.

CORAM : M. S. SONAK AND
PUSHPA V. GANEDIWALA, JJ.

DATE : 22/12/2021.

1. Heard Mr. A. R. Ingole, learned counsel for the petitioner and Mr. S. M. Ghodeswar, learned Additional Public Prosecutor for the respondent/State.

2. The challenge in this petition is to the impugned order dated 03.12.2021 made by the learned Judicial Magistrate First Class, Ashti to the extent the order requires the petitioner to give bond and to furnish a bank guarantee for release of the seized vehicle.

3. Mr. S. M. Ghodeswar, learned Additional Public Prosecutor quite correctly points out that the impugned order or for that matter impugned conditions contained in the impinged order can be questioned by instituting the revision in terms of Section 397 of the Code of Criminal Procedure.

4. Since, the remedy is available to the petitioner under the Code, we see no good ground to entertain this petition. This petition is accordingly, disposed of, but with

liberty to the petitioner to institute a revision petition to challenge the impugned order or rater the impugned conditions in the impugned order.

5. With this liberty, we dispose of this petition.

6. There shall be no order for costs.

(PUSHPA V. GANEDIWALA, J.)

(M. S. SONAK, J.)

RGurnule