

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 APPLICATION FOR CANCELLATION OF BAIL NO.87 OF 2020

PRAJAKTA W/O. SATYAJEET UDAWANT
VERSUS
SUSHILA W/O. SACHIN UDAWANT AND ANR

...
WITH ACB/86/2020
WITH ACB/88/2020

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Advocate for Applicant : Mr. Surve Hemant & Mr. Surve Kshitij H.
APP for Respondent No.2 – State : Mr. V. M. Kagne
Advocate for Respondent No.1 : Mr. A. P. Lohade h/f Mr. Ladda S. G.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 08.03.2022

PER COURT :

. After hearing learned Advocate for the applicant for considerable time what could be gathered is that the applicant, who is the informant, wants to seek cancellation of bail granted to the respective respondents on the ground that they have committed breach of conditions imposed by the learned Additional Sessions Judge, Vaijapur, while granting anticipatory bail to them.

2. It appears that the informant has come directly to this Court when, in fact, for breach of condition of the bail, she should knock the doors of the same Court first and not directly to this Court.

3. In view of this position, learned Advocate for the applicant seeks withdrawal of the application with liberty to approach the same Court under Section 439(2) of the Code of Criminal Procedure on the ground that the bail should be cancelled on the point of breach of terms appended to the bail order.
4. In view of the said legal position, the applicant is allowed to withdraw the applications with liberty as prayed. It is clarified that all the points are kept open.
5. Accordingly, all the applications stand disposed of as withdrawn.

[SMT. VIBHA KANKANWADI, J.]

scm