

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

917 ANTICIPATORY BAIL APPLICATION NO.878 OF 2021

CHETAN BABURAO ZADE AND ANR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Vikrant Valse h/f Mr. Venjane T. M.
APP for Respondent-State : Mr. V. M. Kagne

...
CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 27-01-2022

PER COURT :

1. Heard learned Advocate Mr. Vikrant Valse holding for Mr. T.M.Venjane, appearing for the applicants for some time. This Court has shown disinclination to interfere on the point that earlier also on 02-08-2021 this Court had disposed of ABA No.733 of 2021 as infructuous as a result of the order of rejection of the application for non-prosecution that was passed by learned Additional Sessions Judge, Udgir on 14-07-2021. That means, on two occasions this Court has come to the conclusion that there is no rejection of the application filed by the applicant under Section 438 of the Code of Criminal Procedure on merits. Now, learned Advocate for the applicant, on instructions, seeks withdrawal of the application with liberty to approach the learned Additional Sessions Judge.
2. Liberty is granted.
3. This application stands disposed of as withdrawn.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.