

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

APPLICATION FOR CANCELLATION OF BAIL NO.86 OF 2019

**SAHAKAR MITRA SHRI. CHANDRAKANT HARI BADE SIR, URBAN
CO-OP. CREDIT SOCIETY LTD. VARANGAON
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Mr. Vinod Prakash Patil, Advocate for Applicant
Mr. N. T. Bhagat, APP for Respondent – State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 16th DECEMBER, 2022

PER COURT :

1. By this application filed under Section 439(2) of the Code of Criminal Procedure, applicant seeks cancellation of anticipatory bail granted in favour of respondent No.2, by the Sessions Court, Bhusawal.
2. FIR is lodged by the Special Auditor against Managing Committee Members and Employees of Sahakar Mitra Shri. Chandrakant Hari Bade Sir, Urban Cooperative Credit Society Limited. Pursuant to registration of said crime, respondent No.2 who happens to be borrower of said credit Society, apprehending arrest filed anticipatory bail application, which is allowed by the Sessions Court.
3. Heard learned advocate for applicant and learned

Additional Public Prosecutor for respondent – State.

4. Learned advocate for applicant strenuously urged that respondent No.2 who is borrower, if arrested loan of the Society would be recovered. Present application is filed by Special Recovery Officer of the said Society which, in the opinion of this Court, is not maintainable.

5. Apart from the above, taking into consideration the fact that offence is registered in the year 2017 and anticipatory bail is granted to respondent No.2 on 12/09/2018, so also, the investigation must be almost complete by this time, this Court is not inclined to entertain the application. Application is, therefore, dismissed.

(NITIN B. SURYAWANSHI, J.)