

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

CRIMINAL APPLICATION NO. 2724 OF 2019

Ravindra Dongar Kuwar

..APPLICANT

VERSUS

State of Maharashtra and Another

..RESPONDENTS

....

Mr. Jyodeep Chatterji, Advocate for applicant

Mr. R.B. Bagul, A.P.P. for respondent no.1 – State

Mrs. R.S. Navandar, Advocate h/f Mr. Y.K. Bobade, Advocate for respondent no.2

....

CORAM : R.G. AVACHAT, J.

DATED : 14th MARCH, 2022

PER COURT :

1. Heard. The challenge in this petition is to an order dated 09th August, 2019 cancelling the bail granted to the applicant herein.

2. Learned counsel for the complainant would submit that on the very next day of the remand of the applicant in a serious crime, the Court concerned granted him bail. The said order was challenged before the Sessions Judge successfully. The applicant herein however obtained interim relief in this matter and did not circulate it for long. The same has resulted in miscarriage of justice.

3. It is true that the offence allegedly committed by the applicant herein is serious one. On the very next day of his arrest the Court concerned granted him bail. The said order has however not been taken exception to by the State. It was only the complainant, who took exception thereto before the Sessions Court. Learned Sessions Judge has rightly cancelled the bail of the applicant. Much water has however been flown thereafter. On completion of investigation, charge-sheet has already been filed. The case is fixed for framing of charge. The clock cannot be put back now. In these circumstances, this Court has no option but to allow present application in the facts and circumstances of the case.

4. In the result, criminal application succeeds in terms of prayer clause [B].

(R.G. AVACHAT, J.)

SSD