

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

Criminal Application (APPLN) No. 55 of 2022

Sheshrao Shamrao Bhalerao

Versus

The State of Maharashtra, through Police Station Officer, Washim Rural
Police Station, Tq and Dist. Washim and others

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

Court's or Judge's Order

Shri V.K.Paliwal, Advocate for the applicant.

Shri T.A. Mirza, APP for the State / Non-applicant

Shri V.D.Darne, Advocate for the non-applicant no.2
and 3.

CORAM : ANIL S. KILOR, J.

DATED : 14th JUNE, 2022.

This is an application for cancellation of anticipatory bail granted to the non-applicant nos. 2 and 3 vide order below Exh.1 dated 16th April, 2022 by the learned Additional Sessions Judge, Wardha in connection with Crime No.93 of 2022 for the offence punishable under Sections 451, 353, 294, 427, 506 read with Section 34 of Indian Penal Code.

2. Learned counsel for the applicant submits that only because some civil suits were pending the bail

has been granted to the non-applicant nos. 2 and 3. It is submitted that the offence is very serious in nature, the learned trial Court has not considered the said fact and granted bail. It is lastly argued that the findings of the learned trial Court are erroneous. Accordingly, he prays for rejection of bail granted to the non-applicant nos. 2 and 3.

3. Learned Additional Public Prosecutor fairly states that the custody of the non-applicant nos.2 and 3 is not required in this case.

4. Learned counsel for the non-applicant nos. 2 and 3, has opposed the present application and prays for rejection of the same.

5. I have perused the order passed by the learned Sessions Judge, granting anticipatory bail to the non-applicant nos. 2 and 3.

6. Learned trial Court has observed that wives of both the non-applicant nos. 2 and 3 have filed a suit against the President of society at Ambad Court in respect of property at Ghanswagi and Ranjani.

7. After going through the findings recorded by the learned trial Court, it can be seen though some of the findings are not recorded properly by the learned trial Court, ultimate conclusion granting bail to the non-applicant nos. 2 and 3 is sustainable in the eyes of law.

As such, there is no perversity in the findings recorded by the trial Court and as there are no supervening circumstances, I am of the opinion that no ground is available for cancellation of bail granted to the non-applicant nos. 2 and 3. Accordingly, the application is rejected.

[ANIL S. KILOR, J.]

SACHINDANAND
K NAIR

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