

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

Anticipatory Bail Application No. 461 of 2021

Rajendra S/o Ganeshrao Kadu

Versus

State of Maharashtra, through Police Station Officer, Police Station City
Kotwali, Amravati

WITH

Anticipatory Bail Application No. 463 of 2021

Jaysingh Chimna Rathod

Versus

State of Maharashtra, through Police Station Officer, Police Station City
Kotwali, Amravati

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

Court's or Judge's Order

Shri P.R.Agrawal, Advocate for the applicant in ABA
No. 461 of 2021

Shri Saurabh Bhende, Advocate for the applicant in
ABA No. 463 of 2021.

Shri M.J.Khan, APP for the non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 23rd MARCH, 2022.

This Court Order on 26th July, 2021 in
Anticipatory Bail Application No. 461 of 2021 and
dated 28th July, 2021 in Anticipatory Bail Application

No. 463 of 2021 granted ad-interim protection to the applicants.

2. Today, one of the co-accused made a statement in Anticipatory Bail Application No. 452 of 2021, that proceedings filed by the said co-accused for quashing of the First Information Report on the ground that the procedure under Section 81 of the Maharashtra Co-operative Society Act, has not been followed and without obtaining permission of the Registrar, the First Information Report came to be registered. The said contention of the co-accused were accepted by the Division Bench of this Court and the First Information Report came to be quashed.

3. In this case, the learned counsel for the applicant submits that the same ground is applicable here also as the same ground has been raised in this application as well.

4. I have perused the case diary and also contents of the First Information Report, the applicants were granted ad-interim anticipatory and since last more than eight months, the applicants are attending the police station and there is no complaint about misuse of liberty.

5. Looking at the ground on which the First Information Report came to be quashed qua the applicant in Anticipatory Bail Application No. 452 of 2021 and as the same ground will apply to the present applicant as well. I pass the following order.

ORDER

- i. Anticipatory Bail Application Nos. 461 of 2021 and 463 of 2021 are allowed.
- ii. Order dated 26th July, 2021 in Anticipatory Bail Application No. 461 of 2021 and order dated 28th July, 2021 in Anticipatory Bail Application No. 463 of 2021 are confirmed with modification that applicant shall attend the concern police station as and when his presence is required.

[ANIL S. KILOR, J.]

SACHINDANAND
K NAIR

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