

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

CRIMINAL APPLICATION (APPLN) NO.67 OF 2022

Rajendra S/o Maroti Choudhari .Vs. State of Maharashtra, through P.S.O., P.S. Akot
File, Akola, Tah. & Dist. Akola and another

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

Court's or Judge's Order

Shri N.R. Tekade, Advocate for the applicant.

Shri S.M. Ghodeswar, A.P.P. for the non-applicant/State.

Shri Mir Nagman Ali, Advocate for the non-applicant No.2.

CORAM : ANIL S. KILOR, J.
DATED : 06/10/2022

Heard.

2. This is an application for cancellation of bail granted to the non-applicant No.2, on the ground that the learned trial Court without considering the material available on record and without appreciating the evidence collected by the Investigation Officer during the investigation, granted bail to the non-applicant No.2.

3. On the other hand, Shri Mir Nagman Ali appearing for the non-applicant No.2 has pointed out the charge-sheet has been filed and the Division Bench of this Court has granted bail to the co-accused.

4. It is a settled law that even if some findings are not recorded properly however, the ultimate conclusion

arrived at is sustainable in the eyes of law, such findings cannot be termed as perverse.

5. Looking at the factors to be considered while considering the cancellation of bail, I am of the opinion that as there are no supervening circumstances and because the ultimate conclusion of the trial Court to grant bail is sustainable in the eyes of law, no interference is warranted. Accordingly, I am of the opinion that there is no permissible ground available for the applicant for seeking cancellation of bail.

6. Moreover, one of the co-accused has been released on bail by the Division Bench of this Court. No reason is being pointed out, why the custody of the applicant is required, in this case, after filing of the charge-sheet. In the circumstances, I do not find any merit in the present application. Accordingly, I pass the following order:

The criminal application is **rejected**.

JUDGE