

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

APPLICATION FOR CANCELLATION OF BAIL NO.51 OF 2023

BABAN SOPAN NIKALJE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Sushant Baburao Choudhari
APP for Respondent: Mr. S. B. Narwade
....

CORAM : S. G. MEHARE, J.

DATE : 03.04.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant has moved an application for cancellation of bail before the learned Additional Sessions Judge, Bhoom. The learned Additional Sessions Judge, Bhoom, considering the facts of the case held that the ground on which the cancellation was sought, was not sustainable.
3. The learned counsel for the applicant would argue that the respondents have violated the injunction order passed in a civil suit. He came with a case that subsequent to granting the bail one more crime has been registered against them.

Hence, the bail is liable to be cancelled.

4. The learned Additional Sessions Judge, Bhoom considered the ratio laid down by the Hon'ble Supreme Court in the case of **'X' Vs. State of Telangana and another, (2018) 16 SCC 511** and recorded a finding that application filed by the applicant for cancellation of bail has no force.

5. Perused the papers placed on record. The learned Additional Sessions, Judge, Bhoom has correctly recorded the finding that there were no conditions as such imposed by the Court of Sessions while granting bail . The subsequent incident may not be the ground to reverse the clock back for cancellation of the bail which was granted to the respondents. There were no grounds to consider the application. Therefore the court is of the view that this is not a fit case to consider the request of the applicant. Hence, the application stands dismissed without notice to the respondent at admission stage.

(S. G. MEHARE J.)

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