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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

APPLICATION FOR CANCELLATION OF BAIL NO.71 OF 2023

Suvarna Bhimrao Kamble

APPLICANT

VERSUS

The State of Maharashtra and Others

RESPONDENTS

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Mr. Kishor R. Doke, Advocate for the applicant

Mr. P. G. Borade, APP for respondent - State

Mr. V.S.Dhotre h/f Mr. V.S.Undre, Advocate for R-3 to 7

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 25th SEPTEMBER, 2023

ORDER :

1. This application is filed seeking cancellation of anticipatory bail granted to respondents No. 3 to 7, by this Court, vide order dated 5th January, 2023.

2. Ground raised seeking cancellation of anticipatory bail, is that after grant of anticipatory bail, respondents – accused have indulged in threatening witnesses, including the informant. The informant as well as witnesses have filed reports, which are registered as non cognizable cases.

3. Learned advocate for applicant strenuously urged that since respondents – accused have indulged in threatening the informant as well as witnesses, they have breached the conditions imposed in the order while granting anticipatory bail to respondents – accused and, therefore, their bail is liable to be cancelled.

4. Affidavit in reply is filed on behalf of respondents No.3 to

7. Learned Additional Public Prosecutor has made available investigation papers along with report of the investigating officer.

5. Perusal of record indicates that the informant is an advocate and she is prosecuting the matter. Charge sheet is already filed on 27th July, 2023 and the case is numbered as RCC No. 82 of 2023 and is pending in the Court of learned Chief Judicial Magistrate, Bhoom.

6. Respondents – accused are ladies. Respondent No.3 is of 60 years. Respondent No.7 is 50 years old. Respondents No. 4 to 6 are having small children aged between 15 months to 2 years.

7. Perusal of the report submitted by the Investigating Officer indicates that respondent – accused have co-operated in the investigation and there are no criminal antecedents against them.

8. In the light of above discussion, this Court is not inclined to cancel the bail granted in favour of respondents No.3 - 7. The application is, therefore, rejected.

[NITIN B. SURYAWANSHI]
JUDGE

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