

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APPLICATION FOR CANCELLATION OF BAIL NO.118 OF 2021

Shamrao Ramji Fating	 Applicant
Versus	
Parmeshwar Bhaurao Fating and others	 Respondents

WITH
APPLICATION FOR CANCELLATION OF BAIL NO.119 OF 2021

Shamrao Ramji Fating	 Applicant
Versus	
Narayan S/o. Tukaram Fating and others	 Respondents

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Mr. Avinash , Advocate for the Applicant in both ACBs
Mr. S.S. Rathi, Advocate for Respondent Nos. 1 and 2 in
ACB/119/2021 and for Respondent Nos.1 to 7
Ms. R.P. Gour, APP for Respondent – State in both ACBs

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 23rd JANUARY, 2023

ORDER :

1. The present application is filed under section 439(2) of the Code of Criminal Procedure Code, seeking cancellation of anticipatory bail granted in favour of respondent Nos. 1 and 2 in 3 in ACB No.118 of 2021, and respondent Nos.1 to 7 in ACB No.119 of 2021 by learned Additional Sessions Judge-2, Hingoli in Crime No.88 of 2021 registered with Kalamnuri Police Station, District Hingoli for the offences punishable under sections 143, 144, 147, 148, 149, 452, 307, 324, 323,

504, 506 of the Indian Penal Code and Section 4 read with 25 of the Arms Act.

2. Heard learned advocate for the applicant, learned Additional Public Prosecutor for Respondent - State and learned advocate for respondents – accused. Perused the documents placed on record.

3. During the course of hearing, it is revealed that in the present crime charge-sheet is filed on 28/03/2020, the case is numbered as RCC No.162 of 2021. Thereafter, the matter was committed to the Sessions Court and is numbered as Sessions Case No. 91 of 2021. It appears that the trial has commenced.

4. In the light of these subsequent developments, it is not desirable to cancel the anticipatory bail granted to respondent Nos. 1 and 2 in ACB No.118 of 2021 on 27/04/2021 and respondent Nos. 1 to 7 in ACB No.119 of 2021 on 08.04.2021 by Additional Sessions Judge-2, Hingoli.

5. The application is, therefore, rejected.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane