

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

APPLICATION FOR CANCELLATION OF BAIL NO.86 OF 2022
IN BA/1003/2021

CHANDRAKALABAI WD/O. JANARDHAN MUNDHE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. D. K. Rajput
APP for Respondent No.1/State : Mr. S. B. Narwade
Advocate for respondent No.2 : Mr. K. D. Bade Patil

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CORAM : S. G. MEHARE, J.

DATE : 15.03.2023

PER COURT :

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1/State and the learned counsel for respondent No.2.

2. It has been alleged against respondent No.2/accused that, he is threatening the witnesses. One of the eyewitness is a child. However, no conditions were imposed while granting him a bail. It is presumed that the accused shall not tamper with the prosecution witnesses. If he does so, it is a ground to refuse the bail. In the facts and circumstances of the case, it would be appropriate to protect the interest of the witnesses by imposing certain conditions against respondent No.2. Hence, the following order :-

ORDER

- (i) Respondent No.2 shall not enter the village Dongaon, Taluka Ambad, District Jalna, till the material witnesses including the child witness have been examined.
- (ii) The learned Additional Sessions Judge, Ambad, District Jalna, is directed to open the trial forthwith, frame the charges and the Prosecutor is directed to examine the material witnesses at the earliest, within three months from the date of receipt of this order, subject to co-operation of the accused.
- (iii) In the above terms, the application for cancellation of bail stands disposed of.

**(S. G. MEHARE)
JUDGE**