



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

APPLICATION FOR CANCELLATION OF BAIL NO. 113 OF 2023
IN BA/108/2022

Smt. Parveen w/o. Shaikh Rauf,
Age 28 years, Occu. Housewife,
R/o. Near Jama Masjid, Chitegaon,
Tq. Paithan, District Aurangabad
Mobile No. 9765352233

.. Applicant

Versus

1) The State of Maharashtra
Through A.P.I., Police Station Bidkin,
District Aurangabad

2) Akbar @ Miyabhai Maheboob Shaikh,
Age 45 years, Occu. Business,
R/o. Near Jama Masjid, Chitegaon,
Tq. Paithan, District Aurangabad

.. Respondents

...
Advocate for Applicant : Mr. Shaikh Hakkani M. Hussain
APP for Respondent No.1 : Ms. P. J. Bharad
Advocate for Respondent No.2 : Mr. Rohit Patwardhan holding for
Mr. Satej S. Jadhav

...

CORAM : S. G. MEHARE, J.

DATE : 14-06-2024

PER COURT :-

1. This is an application for cancellation of *interim* bail dated 04.03.2022 passed in Bail Application No.108 of 2022.

2. This case is example of flouting the law and disrespect to the sympathy shown towards respondent No.2/accused by granting bail on medical health ground. On 04.03.2022, a temporary bail without mentioning the specific period was granted to respondent No.2/accused to undergo the treatment at J.J. Hospital.

3. Learned counsel for the applicant submits that respondent No.2/accused did not undergo the medical treatment and enjoying temporary bail. As per the order, dated 04.03.2022, the Court had released the accused on temporary bail. He also flouted the order and did not surrender.

4. Learned counsel for respondent No.2/accused states that respondent No.2/accused attended the trial on each and every date. The tenor of his arguments is that he did not commit any breach and attended the trial on each date. Hence, the order of temporary bail may be confirmed till conclusion of the trial.

5. As discussed above, in utter dis-obdience of the order of the Court and disrespect shown to the sympathy of the Court granting him *interim* bail for medical treatment, he did not take treatment and surrender himself *bona fide*. Therefore, the application deserves to be allowed. Hence, the order :-

ORDER

- i) The application for cancellation of temporary bail is allowed.
- ii) The order passed by this Court, in Bail Application No.108 of 2022, dated 04.03.2022, is restricted till today and respondent No.2/accused is directed to surrender before the Superintendent, Central Prison, Aurangabad by 18.06.2024 at 11.00 a.m.

(S. G. MEHARE)
JUDGE