

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 564 OF 2016
IN
CRIMINAL BAIL APPLICATION NO. 2383 OF 2015**

The State of Maharashtra ...Applicant

Vs.

Harish Rakesh Singh Thakur ...Respondent

Mrs. Geeta Mulekar, APP-Advocate for Applicant.

None for Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 4th JULY, 2024

PC:-

1) This is an application for cancellation of bail granted by this Court on 10th March, 2016 in Criminal Bail Application No. 2383 of 2015. The ground on which the bail is sought to be cancelled, is that the applicant has misused the liberty and he has been absconding since the bail was granted and not traceable.

2) It appears from the office record that the notice issued to the respondent No. 1 was served through his paternal uncle and despite the

same he did not appear in the matter and therefore on 10th May, 2024 this Court issued Non Bailable Warrant against respondent No. 1 which could not be served upon the respondent-accused for the reason that he is not residing at a given address.

3) The learned APP points out that even he is not attending the trial and NBW is issued by the Sessions Court and since the respondent No. 1 is not traceable, the service of the warrant is not yet made on the respondent No. 1.

4) Thus considering the above referred facts, I have no hesitation to hold that the applicant has misused the liberty.

5) In that view of the matter, the application is allowed. The order dated 10th March, 2016 passed in Bail Application No. 2383 of 2015 is hereby cancelled.

[ANIL S. KILOR, J.]