

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.474 OF 2019
IN
CRIMINAL BAIL APPLICATION NO.2244 OF 2017

The State of Maharashtra	]	Applicant
Vs.		
Prasad Bhausheb Vadak	]	Respondent

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Mr. A.A. Palkar, for Applicant-State.

Mr. Narayan G. Rokade, for Respondent.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE :14th FEBRUARY, 2024.

P.C.

1. This is an application for cancellation of bail granted by this Court (Coram: A.S. Gadkari, J.) in Criminal Bail Application No.2244 of 2017 on 29th November, 2017.

2. Heard Mr. Palkar, learned A.P.P and Mr. Rokade, learned Counsel for the respondent – accused.

3. At the time of granting bail to the respondent – accused, one of the conditions was to attend the concerned Police Station on every first Monday of the month between 10.00 a.m to 1.00 p.m.

4. Learned Counsel for the respondent submits that due to inadvertence, the respondent did not attend the concerned Police Station as directed by this Court.

5. It is indeed breach of one of the conditions imposed by this Court while granting bail to the respondent. The bail can be cancelled only on this ground itself.

6. Nevertheless, learned A.P.P has invited my attention that after his release on bail, the respondent-accused has committed another offence which was registered with Shrirampur Police Station being C.R. No.85 of 2018 under Sections 387, 506, 504 r/w 34 of the Indian Penal Code on 20th April, 2018.

7. Learned A.P.P further informs this Court that stringent provisions of Maharashtra Control of Organized Crime Act, 1999 have been invoked and in that regard, Special Inspector General of

Police, Kolhapur Range, Kolhapur vide Order No.9332 of 2018 on 12th October, 2018 granted prior approval under section 23 (1) (a) of the MCOC Act. Sections 3 (1) (i), (ii), (2), (3) and (4) of the MCOC Act have been invoked *qua* the respondent.

8. One more offence appears to have been registered against the respondent being C.R. No.113 of 2018 with Shrirampur Police Station under Sections 402, 353 and 399 of the Indian Penal Code on 26th May, 2018.

9. In this backdrop, nothing remains than to cancel the bail granted to the respondent – accused. Hence, the following order;

: ORDER :

(a) Bail granted by this Court to the respondent – Prasad Bhausahab Vadak vide an order dated 29th November, 2017 in Criminal Bail Application No.2244 of 2017 stands cancelled;

(b) Bond of the respondent – accused is forfeited.

(c) Bond of the surety is also forfeited and surety is discharged.

(d) Liberty to the concerned Police Station to arrest the respondent – accused and place him in the custody.

10. Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]