

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 37 OF 2022
IN
CRIMINAL BAIL APPLICATION NO. 691 OF 2021

The State Of Maharashtra ... Applicant
Versus
Sachin Balu Bhoir ... Respondent

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Mr. Ashish I. Satpute, APP, for the Applicant-State.

Mr. R. D. Suryawanshi a/w Suraj N. Naik, for the Respondent.

Ms. Mohini B. Kapile, PSI, Kalyan Taluka Police Station.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 7th MAY, 2024.

P.C.

Prosecution has moved this application for cancellation of bail of the respondent-accused granted by this Court on 5th March, 2021. One of the conditions in the order of the bail was that the respondent-accused shall stay out of jurisdiction of Kalyan Taluka Police Station for a period of six months.

2 Learned APP submits that the respondent has breached the condition by entering into Kalyan Taluka in order to take his

mother for a treatment in Ayurveda at Mamuchi Wadi, Post – Pimploli, Taluka Ambarnath.

3 It is also submitted that he was noticed by the police while on patrolling duty. The concerned Police Officer has recorded the statement of the said Aayurvedic Practitioner viz. Nago Rama Bangare @ Butya Mama. Though the applicant in his affidavit-in-reply stated the name of said Aayurvedic Practitioner Dr.Rama Kathode yet, it can not be lost sight of the fact that the said Nago Rama Bangare @ Butya Mama appears to have been stated before the police that he has been an Aayurvedic Practitioner which he had learnt from his father and that the respondent-accused and his mother had been to his house for taking treatment of his mother in respect of arthritis and piles. There seems to be substance in the statement of the respondent-accused and, therefore, merely on that ground the application seeking cancellation of bail can not be granted. It is a settled principal of law that bail once granted should not be cancelled merely upon asking unless there are compelling reasons.

4 There is no reason to cancel the bail and hence, the application stands rejected.

5 Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]