



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

901 APPLICATION FOR CANCELLATION OF BAIL NO. 122 OF 2025

THE COMMISSIONER CENTAL GOODS AND SERVICES TAX, THROUGH
INVESTIGATING OFFICER B. S. NADE

VERSUS

KANHAIYA JHA AND ANOTHER

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Advocate for Applicant : Mr. Ajay G. Talhar

Advocate for Respondent No.1: Mr. R. F. Totala a/w. Mr. Rahul Totala a/w.

Mr. Swapnil Lohiya a/w. Mr. Vedant Kabra

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CORAM : ARUN R. PEDNEKER, J.

DATE : 07.07.2025

PER COURT:

1. Mr. R. F. Totala, learned counsel for respondent no.1, on instructions, submits that the main matter (BA/550/2025) is pending before the Sessions Court and listed today. In any event, there is an interim order passed by this court staying the interim order of bail granted by the Sessions Court. Pendency of the present proceedings may obstruct his main matter (BA/550/2025). As such, on instructions, he submits that the main matter (BA/550/2025) itself be decided.

2. The main bail application (BA/550/2025) is listed before the learned Sessions Court today. However, the learned counsel appearing for the parties are present before this court. Learned counsel for the parties

submits that they will appear before the learned Sessions Court tomorrow i.e. on 08.07.2025, at 10:30 a.m.

3. With consent of the parties, the impugned order is set-aside. The learned Sessions Court is directed to list the main matter (BA/550/2025) tomorrow i.e. on 08.07.2025 for consideration. The learned Sessions Court to decide the main matter (BA/550/2025) uninfluenced by the observations of this Court in the interim order dated 05.07.2025 and of it's earlier; impugned order dated 04.07.2025.

4. The parties are left open to make submissions on merits before the learned Sessions Court and the court would decide the same in accordance with law.

5. In view of the above, the impugned order is set aside and the application stands disposed of with directions as above.

[ARUN R. PEDNEKER, J.]

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