



{1}

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

APPLICATION FOR CANCELLATION OF BAIL NO.206 OF 2024

Kavita Bajrangrao Wankhede,
Age: 43 years, Occu.: Agriculture,
R/o. Mendhle, Tq. Ardhapur,
Dist. Nanded. ... Applicant

VERSUS

1. Ashok S/o. Devidas Pawar,
Age: 33 years, Occu.: Agriculture,
R/o. Sangvi (Bk.)
Tq. and Dist. Nanded. ... Orig. Accused No.2
2. The State of Maharashtra,
Through Police Station,
Ardhapur, Tq. Ardhapur,
District Nanded. ... Respondents.

.....
Mr. Ravindra B. Narwade Patil, Advocate for Applicant
Mr. V.M. Jaware, APP for Respondent No.2 – State
Ms. Rani K. Agrawal, Advocate (appointed) for Respondent No.1
.....

CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 07 MAY 2025

PRONOUNCED ON : 09 MAY 2025

PER COURT :-

1. In spite of service, none appears for respondent No.1. In view of the same, learned Advocate Ms. Rani K. Agrawal, is hereby appointed to represent respondent No.1.
2. Instant application is for cancellation of anticipatory bail granted to present respondent No.1 by the learned Additional

{2}

Sessions Judge Nanded on 10.07.2027 in Crime No.309 of 2024 registered at Ardhapur Police Station, District Nanded.

3. Learned counsel pointed out that, above crime was registered against present respondent No.1 for offences registered under Sections 354, 323, 327, 427, 294, 201 r/w Section 34 of the Indian Penal Code. That, there is a dispute over agricultural land. That, as a result of some occurrence, on 23.06.2024, above crime was registered. That, present respondent No.1 applied for anticipatory bail, and the same was granted by imposing conditions. He further submitted that, on 07.05.2024, when applicant was in her ancestral land, at that time, present respondent No.1 again exerted pressure on informant to withdraw the case filed against respondent. That, threats were issued to kill, and therefore, the said occurrence was reported and registered as N.C.R. No.213 of 2005. Thereafter also, respondent No.1 called the present applicant on mobile and issued threats to dispossess of her entire property. Report to that extent has also lodged. Thus, according to learned counsel, there is a breach of conditions imposed by the learned trial Court on 10.07.2024, more particularly, clause (b), and hence, learned counsel seeks cancellation of anticipatory bail.

{3}

4. Learned APP supported the above contentions.
5. Learned counsel appointed for respondent No.1 opposed on the ground that, there is false implication. Apparently, there are disputes over the agricultural land. That, present application and NCR is an attempt to get benefits of anticipatory bail withdrawn. That, there was no occurrence. That, bald allegations are made. According to her, application for cancellation of bail has no merits.
6. After considering the above submissions, and on going through the papers, it seems that, after registration of Crime No.309 of 2024, learned trial Court granted bail to four accused including present respondent No.1 by order dated 10.07.2024. The bail was granted subject to conditions, including the condition that, “The accused shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, or tamper with the evidence.”
7. Now, allegations are made that, while on anticipatory bail, threats are issued and blank calls are made to exert pressure.

{4}

Apparently, it is emerging that, there is a civil dispute between the parties. An attempt to pressurize to withdraw the case has been reported to police. As regards to allegations of threats on the phone are concerned, there is nothing in black and white in the form of CDR. However, if it is so happening again, then respondent No.1 to take a note that, if any further complaint is received in any manner, his anticipatory bail would stand withdrawn. Presently, in the light of above, no case is made out for cancellation of bail. Hence, I proceed to pass the following order:

ORDER

- I. Application for cancellation of bail is rejected.
- II. The fees of the counsel appointed to represent respondent-original informant is to be paid by the High Court Legal Services Sub-Committee, Aurangabad as per Rules.

**ABHAY S. WAGHWASE,
JUDGE**