



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 243 OF 2026

Swapnil S/o Namdev Kusmude

.. Applicant

Versus

The State of Maharashtra and another

.. Respondents

...

Advocate for applicant : Mr. V.S. Wakale

Addl.PP for the respondent – State : Mr. A.R. Kale

Advocate for respondent no.2 : Mr. A.S. Bajaj (appointed)

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CORAM : SHAILESH P. BRAHME, J.

DATE : 30 APRIL 2026

PER COURT :

After hearing for some time, when this Court expressed disinclination, learned counsel for the applicant, on instructions, seeks leave to withdraw the application.

2. Before granting permission to withdraw the application, it is necessary to record that the investigation in this matter is perfunctory. The criminal antecedents of the applicant, which are in the form of order of externment, were not pointed out by the Investigating Officer to the Court. The earlier Investigating Officer and the one who was present before the Court yesterday, have failed to take due care in discharging the duties in a sensitive matter. Their conduct needs to be reported to the Superintendent of Police, Ahilyanagar. There is a

reason to infer that the relevant material which is tried to be supplied on behalf of the informant, have not been enquired into by the Investigating Officers.

3. It would be open for the informant to tender the relevant material either to the present Investigating Officer or to the Superintendent of Police, Ahilyanagar. I hope and trust that necessary action shall be taken if the information supplied is relevant.

4. Leave is granted to withdraw the application.

5. Application is disposed of as withdrawn with the above observations.

[SHAILESH P. BRAHME]
JUDGE

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