

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

CRIMINAL WRIT PETITION NO.1071 OF 2015

Syed Muzafaruddin Khan
s/o Abdul Qayyum,
Age 66 years, Occu. Retired,
R/o Plot No.9/1, Opp. Sahara
Hospital, Central Naka Road,
Jaswantpura, Aurangabad
Taluka and District Aurangabad

..Petitioner

Versus

The State of Maharashtra
through Superintendent of Police,
Anti Corruption Bureau,
Aurangabad

..Respondent

Mr P.V. Barde, Advocate for petitioner
Mrs M.A. Deshpande, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 19th August 2015

PER COURT

Heard.

2. While releasing the present petitioner on bail by order dated 23rd April 2014, this Court had imposed restriction on the movements of the applicant as he was directed to deposit the passport.

3. Upon request, the said condition was relaxed by order dated 20th December 2014 whereby he was permitted to go abroad from 1st week of January 2015 to 1st week of April 2015.

4. Admittedly, the said condition was not jumped by the present applicant.

5. The applicant has requested for permitting him to leave the country for a period from 26th August 2015 to 17th November 2015, as according to him he is green card visa holder and condition is that he must stay frequently at least for a period of 60 to 90 days in U.S.A. in a year for maintaining the green card visa, otherwise the visa will be lapsed. In addition to that he has to undergo medical treatment in abroad as his children are residing there.

6. It will be appropriate, in my opinion, to grant the said request, as the applicant is holding the confirmed return ticket and has not jumped the earlier order passed by the learned Sessions Court.

7. As such, the order below Exh.1 in Criminal Misc. Application No.151 of 2015 dated 10th August 2015 passed by learned Additional Sessions Judge, Aurangabad is hereby set aside.

8. The applicant shall furnish an undertaking to this Court that he shall not jump the above referred relaxation ordered by this Court.

9. It is made clear that henceforth if the applicant intends to go abroad, he shall first obtain the permission from the Court and then shall complete the formalities.

10. With above directions, writ petition stands disposed of.

(N.W. SAMBRE, J.)

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