

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

**CRIMINAL APPLICATION NO. 5449 OF 2015
IN
CRIMINAL APPLICATION NO. 2676 OF 2015**

Dhondiram s/o Hiraji Rathod,
Age: 57 years, Occ: Service,
R/o. Government Quarters,
Opp. Collector Office, Nagpur,
Dist. Nagpur.

...Applicant

versus

The State of Maharashtra,
Through Police Station,
Kallam, Dist. Osmanabad.

...Respondent

.....
Mr. S.J. Salunke, Advocate for applicant
Mr. S.N. Morampalle, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 26th OCTOBER, 2015

ORAL ORDER :

The applicant, a public servant, who was released on anticipatory bail by order dated 16/07/2015 on condition that he shall attend Kallam police station once in a week, preferably on every Sunday in between 2.00 p.m. to 3.00 p.m. till the charge sheet is filed.

2. The applicant, pursuant to the said condition, has attended the said police station almost on 12 occasions and

according to him, there is nothing to be investigated or interrogated against him. He seeks relaxation of the said condition on the ground that he is posted at Nagpur, which is almost 700 kms. away from Kallam police station.

3. Learned A.P.P. submits that since the investigation in the matter is going on, presence of the applicant is very necessary and a such, prayed for rejection.

4. In the background of above referred factual matrix, it will be appropriate, in my opinion to relax condition No. (iii) passed by this Court in the order dated 16th July, 2015 in Criminal Application No.2676 of 2015 by directing the applicant to remain present before the Investigating Officer as and when called.

5. The application stands allowed in above terms.

[N.W. SAMBRE, J.]