

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.600 OF 2015

Yusuf Wahid Khan alias Pathan .Applicant

v/s.

The State of Maharashtra .Respondent

WITH

CRIMINAL APPLICATION NO.572 OF 2015

IN

BAIL APPLICATION NO.600 OF 2015

Yusuf Wahid Khan alias Pathan .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.Paras Yadav, Advocate, for the Applicant
Mrs.S.S.Kaushik, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 24.08.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. This application is sent through jail. According to the applicant, although he was enlarged on bail in C.R.No.232 of 2005, he has not been able to avail of the bail granted to him by the learned Sessions Judge, Thane, as he comes from very poor family. Learned counsel for the applicant states that the applicant was enlarged on bail in the aforesaid C.R. which was registered with the Kalwa Police Station, District – Thane on executing a P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount. The learned counsel requests that the said amount of Rs.15,000/- be reduced to Rs.5,000/- with one or two sureties in the like amount.

3. Learned APP on the instructions of the officer who is present in Court states that despite the applicant being enlarged on bail on 10.09.2012 by the learned Sessions Judge in

S.C.No.69 of 2011, the applicant has not been able to avail of the bail and continues to be in custody. She states that the applicant is presently lodged in Taloja Central Prison, Navi Mumbai.

4. Perused the order passed below Exh.6 in S.C.No.69 of 2011. Same is taken on record and marked "X" for identification. It appears that despite being enlarged on bail in the said case vide order 10.09.2012 by the learned Sessions Judge, Thane, the applicant has not been able to avail of the bail, as he comes from a poor family and is unable to give sureties.

5. Considering the prayer made by the applicant, the bail granted to the applicant on furnishing P.R.Bond in the sum of Rs.15,000/- with one or two sureties is modified to the extent that the applicant shall now be released

on bail on executing P.R.Bond in the sum of Rs.5,000/- with one or two sureties in the like amount. Rest of the conditions imposed by the learned Judge shall continue to operate.

6. Accordingly, the Application is allowed and disposed of on the aforesaid term.

7. In view of disposal of the Bail Application No.600 of 2015, the Cri. Application No.572 of 2015 does not survive and the same stands disposed of accordingly.

8. A copy of the said order be communicated by the Registry to the learned Sessions Judge, Thane, who is seized of Sessions Case No.69 of 2011 as well as to the applicant who is lodged in Talaja Central Prison, Navi Mumbai.

Parties to act on the authenticated
copy of this order.

(REVATI MOHITE DERE, J.)