

Anand

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

CRIMINAL APPLICATION NO.214 OF 2015

Asif Shabbir Sayyad .Applicant

V/s.

The State of Maharashtra .Respondent

Mr.A.M.Moorthy i/b. Mr.Acharya Manthira M.A.,
Advocate, for the Applicant
Mrs.S.S.Kaushik, APP, for the Respondent -
State

CORAM : REVATI MOHITE DERE, J.

DATE : 28TH APRIL, 2015

P.C.

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

2. By this application, the applicant
seeks the following prayers.

“(ii) That this Hon'ble Court
be pleased to allow the applicant
to deposit cash bail amount in
lieu surety by reducing the bail
bond amount from Rs.25,000/- to
such reasonable bail amount

within the reach of Applicant by modifying the trial court's order thereby setting aside the impugned order of trial court passed on 31.01.2015 in C.C.No.408/PW/2014 and C.R.No.170 of 2014 pending before 40th Court of Ld. Addl./Chief Metropolitan Magistrate at Girgaum, Mumbai and impugned order of Hon'ble Sessions Court in M.A.No.898 of 2015 vide order dated 01.04.2015 imposing necessary terms and condition as this Hon'ble Court may deem fit and proper.

(iii) That this Hon'ble Court be pleased to reduce the bail amount from Rs.25,000/- to such reasonable bail amount which would be within the capacity of the Applicant to comply with by way of modifying the bail order passed by the trial court passed on 09.10.2014."

3. The learned counsel for the applicant submits that the applicant was enlarged on bail by the learned Additional Chief Metropolitan Magistrate, 40th Court, Girgaum, Mumbai vide order dated 09.10.2014 subject to solvent surety of Rs.25,000/- and personal bond of the like amount. Thereafter, the applicant filed an application seeking cash

bail which came to be refused. He submits that despite the order enlarging the applicant on bail in October, 2014, till date, the applicant is in custody. As far as prayer clause (ii) as afore stated is concerned, it is not desirable to enlarge the applicant on cash bail. However, as far as prayer clause (iii) set out in para 2 of this order is concerned, the same is modified. Accordingly, the condition directing the applicant to give solvent surety of Rs.25,000/- and personal bond of the like amount is reduced to that Rs.15,000/- with one or more solvent surety in the like amount. Accordingly, the applicant shall now be released on bail on his furnishing P.R.Bond in the sum of Rs.15,000/- with one or more solvent surety in the like amount.

4. The application is allowed & disposed of accordingly.

Parties to act on the authenticated
copy of this order.

(REVATI MOHITE DERE, J.)