

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 411 OF 2015
IN
CRIMINAL BAIL APPLICATION NO. 1194 OF 2014

Smt. Khatija Rahim Shaikh. ... Applicant.
Versus
The State of Maharashtra. ... Respondent.

Mr. Akram Kapoor i/b. Raeesuddin Khan, advocate for Applicant.

Mr. Y.M. Nakhwa, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : AUGUST 6, 2015

P.C.:

1 This is an application seeking relaxation of condition. By an order dated 13th August, 2014 this Court (Coram : A.M. Thipsay, J) had directed that the applicant be enlarged on bail. The clause (11) of the order reads thus :.

“11 Applicant is ordered to be released on bail in the sum of Rs. 25,000/- with one surety in like amount, or two sureties in the sum of Rs. 12,500/- each, on the condition that the applicant shall report to Byculla Police Station on every Sunday

between 10.00 a.m. to 12 noon till the disposal of the case against her.”

2 The applicant was directed to report to the police station on every Sunday between 10.00 a.m. to 12 noon till the disposal of the case against her. Learned Counsel for the applicant submits that parents of the applicant are residing in West Bengal. That they are ill due to old age and the applicant desires to visit them. It is also submitted that the applicant has been complying with the order for the past 9 months and seeks relaxation.

3 Taking into consideration the fact that the applicant happens to be a woman and who was a victim of 376 of IPC. The condition imposed need to be relaxed.

4 Hence, following order is passed :

ORDER

(i) The application is allowed.

(ii) The clause 11 stands modified as under:

“11 Applicant is ordered to be released on bail in the sum of Rs. 25,000/- with one surety in like amount, or two sureties in the sum of Rs. 12,500/- each, on the condition that the applicant shall report to the concerned police station on 1st Sunday of each month commencing from 6th September, 2015 till conclusion of the trial.”

(iii) The applicant is exempted from attending the police station till 6/9/2015.

5 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)