

Anand

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

CRIMINAL APPLICATION NO.553 OF 2015

Lalji Rajnath Yadav .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.Ashish J. Dubey i/b. Mr.A.K.Dubey, Advocate,
for the Applicant
Mrs.Rutuja Ambekar, APP, for the Respondent –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 11.09.2015

P.C.

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

2. By this application, the applicant
seeks modification of the condition of bail
imposed by the learned Special Judge, Mumbai,
vide order dated 07.05.2015 by which the
applicant was enlarged on bail under Section
167(2)(a)(ii) of the Code of Criminal Procedure.

3. The applicant was arrested in connection with C.R.No.643 of 2014, registered with the Bandra Police Station, Mumbai, for the alleged offence punishable under Section 354A of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act, 2012. While enlarging the applicant on bail in C.R.No.643 of 2014 registered with the Bandra Police Station, the learned Special Judge, Mumbai directed that the applicant be enlarged on bail, on his furnishing P.R.Bond of Rs.30,000/- along with one or two sureties in the like amount on certain conditions.

4. As the applicant was unable to furnish two sureties, he preferred an application seeking modification of the order dated 07.05.2015 and prayed that applicant be permitted to furnish cash bail of Rs.15,000/- in lieu of one surety. The said Misc. Application

No.182 of 2015 was rejected vide order dated 17.08.2015. Hence, this application.

5. Learned counsel for the applicant presses for prayer clause(b) of this application, which reads thus :-

"This Hon'ble Court may be pleased to reduce the amount of surety Bond from Rs.30,000/- to Rs.15,000/- in Cr.No.643 of 2015."

He submits that the applicant is unable to arrange for one more surety of Rs.15,000/- and as such is in custody since May, 2015, despite being enlarged on bail.

6. Perused the papers. Despite the applicant being enlarged on bail on 07.05.2015, till date, the applicant is unable to avail of the same, as he could not arrange for one surety of Rs.30,000/- or two sureties of the like amount, as directed by the learned Special

Judge.

7. Considering the aforesaid facts and for the reasons stated in the application, the Application is allowed in terms of prayer clause (b). Accordingly, the order dated 07.05.2015 is modified, to the extent that the applicant shall, now, be released on bail on his furnishing P.R.Bond of Rs.15,000/- with one surety in the like amount. Rest of the conditions imposed vide order dated 07.05.2015 to remain as it is.

8. The Application is accordingly disposed of.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

Certified to be true and correct copy
of the original signed Judgment/order.