

Anand

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

CRIMINAL APPLICATION NO.763 OF 2015

IN

BAIL APPLICATION NO.945 OF 2014

Dahyaji Gobarji Vanzara .Applicant

v/s.

The State of Maharashtra & anr. .Respondents

Mr.H.P.Shah, Advocate, for the Applicant

Mr.S.H.Yadav, APP, for the Respondent No.1 –
State

Mr.S.K.Shinde with Mr.Y.M.Nakhwa, APP, for the
Respondent No.2 – CBI

CORAM : REVATI MOHITE DERE, J.

DATE : 10.09.2015

P.C.

. Heard learned counsel for the
applicant, learned APP for the respondent –
State and the learned APP for the respondent
No.2 – CBI.

2. By this application, the applicant
seeks relaxation of the condition No.(iv) of the
order dated 11.09.2014 passed by this Court

(CORAM : ABHAY.M.THIPSAY, J.) in Cri.B.A.No.945 of 2014. The applicant has prayed that he may be permitted to go to Nasik to attend Kumbhamela Shahi Snan Ceremony for a period of seven days from 10.09.2015 to 16.09.2015. Learned counsel for the applicant submits that the said Kumbhamela Shahi Snan ceremony is going to be held on 13.09.2015. He further submits that the applicant was permitted to travel out of Mumbai City by this Court (CORAM : V.L.ACHLIYA, J.) for a period of two days vide order dated 04.06.2015 passed in Cri. Appln.No.448 of 2015 in Cri.B.A.No.945 of 2014. He submits that the applicant had complied with the conditions that were imposed by this Court.

3. Learned APP opposes the prayer sought by the applicant. He submits that the period for which relaxation is sought for seven days is unjustified, considering Shahi Snan Ceremony is

going to be held on 13.09.2015. He has no serious objection, if the applicant is permitted to go on 13.09.2015.

4. Perused the orders dated 11.09.2014 and 04.06.2015 passed by this Court. Vide order dated 11.09.2014, this Court while enlarging the applicant on bail had imposed certain conditions on the applicant. Clause No.(iv) of which relaxation is sought reads thus :-

“(iv) After his release on bail, the applicant shall have to stay in Mumbai and report to the trial court at 11.00 a.m. sharp on every Monday, Wednesday and Friday. Should the Court be closed on any such Monday, Wednesday and/or Friday, the applicant shall report to the trial court on the next working day.”

The applicant was earlier permitted to travel out of Mumbai City for 2 days. He has not abused the conditions imposed on him. It appears that Kumbhamela Shahi Snan Ceremony is going to be held on 13.09.2015. Considering the prayer of the applicant, the applicant is permitted to

attend the said ceremony on 13.09.2015.
Accordingly, the Application is allowed on the
following terms & conditions:

(i) The applicant is permitted to leave
Mumbai on 12.09.2015 at 08.00 a.m. for Nasik for
attending the Shahi Snan on 13.09.2015;

(ii) The applicant will return on 13.09.2015
before 10.00 p.m.;

(iii) During his stay at Nasik, the applicant
shall report to the Panchavati Police Station,
Nasik on 12.09.2015, on his arrival;

(iv) The applicant during his stay at Nasik
shall not contact any prosecution witnesses nor
shall commit the act contrary to the conditions
imposed by this Court vide order dated
11.09.2014;

(v) The applicant shall attend the CBI
Special Court on 14.09.2015 as per the order
dated 11.09.2014.

5. The Criminal Application No.763 of 2015 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.