

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 799 OF 2014
IN
CRIMINAL BAIL APPLICATION NO. 1428 OF 2014**

Mahendra Sitaram Gurav	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Ganesh Shirodkar i/b Mr. Prakash V. Vare for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

THURSDAY, 5TH MARCH, 2015

P.C. :

1. Heard the learned Counsel for the applicant and the learned A.P.P.

2. By this application, the applicant seeks modification of the condition imposed while releasing the applicant on bail vide order dated 24th July, 2014 passed by this Court (Coram : A.M. Thipsay, J.) in Criminal Bail Application No. 1428 of 2014. The same reads as under :

“The Applicant is ordered to be released on bail in the sum of Rs. 1,00,000/-, with one surety in the like amount, or two sureties in the sum of Rs. 50,000/- each, on the condition

that the applicant shall report to the court of learned Magistrate on every Monday till the disposal of the case against him.

Should the court be closed on any given Monday on account of holiday, the Applicant shall report to the court on the next working day.”

2. Learned Counsel for the applicant states that the applicant has been diligently reporting to the Court of the learned Magistrate on every Monday pursuant to the order dated 24th July, 2014. He submits that there is no progress so far in the said case and that the business of the applicant is getting affected, as a result of the said condition being imposed. He submits that similarly placed co-accused have not been granted any condition when they were released on bail by this Court (Coram : Sadhana S. Jadhav, J.) dated 18th November, 2014.

3. Learned A.P.P states that there are three C. Rs. registered against the applicant. Considering the same, it would be appropriate that instead of completely relaxing the condition of attendance on every Monday till the disposal of the case against the applicant, the condition can be modified partially.

4. Accordingly, the applicant shall now report to the Court of the learned Magistrate on first Monday of every month between 11:00 a.m. to 12:00 noon. It is made clear that if the Court is closed on any given Monday on account of holiday, the applicant shall report to the Court on the next working day.

5. The application is allowed and is disposed of accordingly.

REVATI MOHITE DERE, J.