

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 5746 of 2016
(In Criminal Application No. 634 of 2016)
(In Criminal Application No. 3081 of 2015)

District : Aurangabad

Amit s/o. Arvind Ratnaparkhi,
Age : 42 years,
Occupation : Private Service,
R/o. Flat No.B-13,
'Manak Apartment',
Osmanpura, Aurangabad,
Taluka & District : Aurangabad. .. Applicant.

versus

The State of Maharashtra,
through Police Inspector,
M.I.D.C. Waluj Police Station,
Aurangabad,
Taluka & District : Aurangabad. .. Respondent.

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*Mr. Govind Kulkarni, Advocate, holding for
Mr. Rajendra S. Deshmukh, Advocate, for the
applicant.*

*Mr. S.D. Ghayal, Addl. Public Prosecutor, for
the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 19TH OCTOBER 2016

ORAL ORDER:

The applicant, who is accused in Crime No.

I-45/2015 registered with Police Station, M.I.D.C., Waluj, District Aurangabad, by this application, is seeking relaxation of condition of attendance with Local Crime Branch, Aurangabad, imposed on him while releasing on bail and modified subsequently by an order dated 8th February 2016 in Criminal Application No. 634 of 2016.

2. Heard the learned Counsel appearing for the applicant as well as the learned Addl. Public Prosecutor appearing for the respondent.

3. The learned Addl. Public Prosecutor opposed the application by contending that considering the nature of the crime, this Court found it fit to check residence of the applicant at Aurangabad and therefore the condition to attend the Local Crime Branch was imposed on him.

4. It is not in dispute that now charge-sheet is filed and as such the concerned Court is seized with the matter. On 3rd July 2015, while directing release of the applicant on bail, this Court had directed the applicant to attend Local Crime Branch, Aurangabad, once in fortnight. Subsequently by order dated 8th February 2016 in Criminal Application No. 634 of 2016, this condition is modified by directing appearance before the Local Crime Branch once in a month.

5. After filing of the charge-sheet, purpose of imposing such condition is over. As the Court is seized with the matter, even otherwise the applicant is bound to attend each and every date of hearing before the concerned Court, he being an accused. Therefore there is no propriety in continuing attendance of the applicant before the Local Crime Branch.

6. Hence, I pass the following order :-

(a) The condition requiring attendance of the applicant once in a month before the Local Crime Branch, Aurangabad, is waived.

(b) So far as the condition of obtaining permission of the trial Court for leaving India, the applicant is free to apply to the learned trial Court on each and every occasion whenever he desires to go out of India, by moving appropriate application annexing his tour itinerary for seeking such permission.

(c) The Application stands disposed of in the above terms.

(A.M. BADAR)
JUDGE

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