

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Amk

CRIMINAL APPLICATION NO. 69 OF 2016
IN
CRIMINAL BAIL APPLICATION NO. 1502 OF 2015

Vinod Ramakant Jha

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mrs. Mallika A. Ingale for the Applicant.

Mrs. M. H. Mhatre, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 9th FEBRUARY, 2016.

P. C. :

1. This is an application for modification of an order dated 20.01.2016 passed by the learned Metropolitan Magistrate, 26th Court, Borivali, Mumbai in Surety Application below Exhibit 24.
2. The applicant was directed to be released on bail in C.R. No. 611 of 2014 registered with Borivali Police Station, Mumbai by an order dated 08.10.2015 passed by this Court. While releasing the applicant on bail, this Court has imposed a condition that the applicant shall furnish PR Bond in the sum of Rs.50,000/- with one or two local sureties in the like amount. As the applicant could not comply with the said condition, he preferred an application No. 978 of 2015 for modification of the said condition and this Court by an

order dated 04.12.2015 modified the said condition and permitted the applicant to furnish one or two sureties from the State of Maharashtra instead local sureties. Pursuant to the order dated 04.12.2015 the applicant furnished a surety by name Shri Baban A. Shinde. It appears from the record that he has also submitted a solvency certificate for an amount of Rs.50,000/- issued by the Tehasildar of Taluka Khalapur, District Raigad. The documents pertaining to the said surety are furnished before the Magistrate for its acceptance. The learned Magistrate by its order dated 20.01.2016 has accepted the said surety for the amount of Rs.25,000/- only. As the applicant could not furnish the required surety thereby making an amount of Rs.50,000/-, the applicant is still languishing in jail, though the order is passed in his favour granting him bail on 08.10.2015.

3. In the circumstances and in the interest of justice, the applicant is hereby permitted to furnish cash bail of Rs.50,000/- before the learned Magistrate. The said cash bail shall be in addition to the surety furnished by the applicant namely Shri Baban A. Shinde.

4. The application is allowed in the aforesaid terms.

(A. S. GADKARI, J.)