

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE  
  
**CRIMINAL APPLICATION NO.104 OF 2016**  
**IN**  
**BAIL APPLICATION NO.1273 OF 2015**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders or directions  
and Registrar's orders.

Court's or Judge's orders

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Mr. Sushil Upadhyay i/b V.K. Singh for applicant.  
Ms. P.P. Shinde, APP for State.

CORAM : A.S. GADKARI, J.  
DATE : 15<sup>th</sup> February 2016.

**P.C.:**

1] This is an application for modification of condition No.2 of order dated 11.8.2015 passed by this Court while releasing the applicant on bail. The learned Counsel for the applicant submitted that though by an order dated 11.8.2015 the applicant was directed to be released on bail, the applicant till date could not comply with the condition No.2 of the said order by which he was directed to be enlarged on bail on furnishing PR bond of Rs.25,000/- with one or more sureties in the like amount. The learned Counsel for the applicant submitted that the applicant hails from the economically backward society and it is difficult for him to get sureties in the like amount. He therefore submitted that the condition No.2 may be suitably modified in the interest of justice.

2] It is the fact that though by an order dated 11.8.2015 the applicant

was directed to be enlarged on bail on his furnishing PR bond of Rs.25,000/- with one or more sureties in the like amount, the applicant is still in jail. It appears from record that the applicant was the sole earning member in his family and since he is inside jail, it is difficult for him to get sureties in the like amount. In view of the same, the condition No.2 of the order dated 11.8.2015 is hereby modified.

3] Hence, the following order:-

- (i) The applicant be enlarged on bail on his furnishing cash bail of Rs.25,000/-.
- (ii) After his release from jail, the applicant to comply with condition No.2 of the order dated 11.8.2015 of furnishing PR bond of Rs.25,000/- with one or more sureties in the like amount within four weeks from the date of his release from jail.
- (iii) If the applicant fails to comply with the said condition No.2 within four weeks from the date of his release from jail, the prosecution is at liberty to move an application for cancellation of bail before the Trial Court.
- (iv) The application is allowed in the aforesaid terms.

**(A.S. GADKARI, J.)**