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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 158 OF 2015

Shri Prakash Narayan Joshi

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Manoj Kondekar for Applicant

Ms. P.P. Shinde, APP for the State.

CORAM: A.S. GADKARI, J.

DATE : 18th January 2016.

P.C.

1 This is an application for modification of order dated 8.10.2014 passed in Bail Application No.290 of 2014 by the Special Court. While releasing the applicant on bail, the Trial Court has directed that the applicant to furnish PR bond of Rs.30,000/- with one or more solvent sureties in the like amount.

2 The learned Counsel for the applicant submitted that taking into consideration the nature of allegations made against the applicant, his relatives are not coming forward to stand surety for him. He submitted that the Trial Court on earlier occasion was pleased to extend the time to furnish

surety, however, for one reason or other, till date the said condition could not be complied with. He further submitted that the Trial Court by its order dated 10.2.2015 has rejected the application for modification of the order dated 8.10.2014 on the ground that, after taking into consideration the nature of allegations and severity of the offence the said bail amount along with other conditions have been imposed upon the applicant.

3 The learned APP on instructions submitted that as far as the other conditions imposed upon the applicant by order dated 8.10.2014 , the applicant has complied with the same and till date there is no default.

4 After taking into consideration the fact that though order was passed on 8.10.2014, till date the applicant is unable to furnish surety pursuant to condition imposed upon him by order dated 8.10.2014, I am inclined to modify the said condition.

Hence, the following Order:-

(i) The condition no.2 in order dated 8.10.2014 passed by the Trial Court is modified and the applicant is hereby directed to furnish further cash bail of Rs.30,000/- within a period of three weeks from today.

(ii) The condition of furnishing one or more solvent sureties is hereby waived.

- 5 The application is allowed in the aforesaid terms.
- 6 All the concerned to act on the authenticated copy of this
order.

(A.S. GADKARI,J.)