

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 415 OF 2016
IN
CRIMINAL APPEAL NO. 855 OF 2006

Mr. Bhanudas More. ... Applicant.
Versus
Union of India & anr. ... Respondents.

Mr. Ayaz Khan, advocate for Applicant.

Ms. Rebecca Gonsalvez, advocate for respondent No. 1.

Ms. V.S. Mhaispurkar, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J
DATE : APRIL 1, 2016

P.C.:

1 This is an application seeking modification of the order dated 21st April, 2009 directing the applicant to cause his attendance before the NCB once in a month.

2 The learned Counsel for the respondent NCB Ms. Gonsalves has filed report from the Zonal Director, NCB, Mumbai thereby informing this Court that the applicant has not marked his presence before the

NCB office in October, 2015 and February and March, 2016. Learned Counsel submits that the applicant has violated the condition imposed upon him by this Court vide order dated 21st April, 2009 and therefore, the bail granted in favour of the applicant be cancelled.

3 However taking into consideration the fact that the applicant was enlarged on bail on certain condition imposed upon the applicant vide order dated 14th March, 2008, the condition imposed upon the applicant which was modified vide order dated 21st April, 2009 is modified as follows :

(i) The applicant shall report to the office of Special Court (NDPS Act) once in a month for 3 consecutive months i.e. April, May and June, 2016 on the date specified by the concerned Court.

(ii) Thereafter, the applicant shall report to the Special Court (NDPS Act) once in 3 months on the date specified by the concerned Court. Upon failure to attend any two consecutive dates, the NCB would be at liberty to file an application seeking cancellation of bail.

4 The learned Counsel for the applicant upon instructions submits that the applicant would abide by the conditions imposed by this order.

5 The report is taken on record and marked as Article “X” for identification.

6 The application is allowed and disposed of on the above terms.

(SMT. SADHANA S. JADHAV,J)