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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 435 of 2016

IN

ANTICIPATORY BAIL APPLICATION No.931 of 2016.

Sanjay Dattatray Kakade Vs. The State of Maharashtra & Anr.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr Aniket Nikam for the applicant.

Ms PH. Kantharia a/with Mr V.H. Venegaonkar for CBI.

Smt.Rutuja Ambekar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 7th September, 2016

P.C.

1) This is an application for modification of condition no.5 imposed upon the applicant while releasing him on bail by an order dated 1.6.2016 in Bail Application No. 931/2016.

2) The learned counsel for the applicant submitted that the applicant is the sitting Member of Rajya Sabha and is also active member of a political party. He further submitted that the applicant is required to leave the jurisdiction of this Court very often and it is causing hardship to the applicant for approaching this Court intermittently. He, therefore, submitted that the condition imposed by this Court by its order dated 1/6/2016 may be modified and appropriate orders may be passed.

3) The learned Special P.P., on instructions, from the concerned officer submitted that the facts mentioned in the application are substantially correct. She further, on instructions, submitted that the

applicant may be directed to submit his itinerary with the Investigating Officer prior to leaving the jurisdiction of this Court and the applicant may be further directed to inform the Investigating Officer after his return in the jurisdiction of this Court. She further submitted that if the applicant complies with the aforestated suggestion of the Investigating Officer, the investigating agency will not have any serious objection, for modification of the said condition.

4) In view of the above, the condition no.5 in order dated 1/6/2016 is hereby modified and the applicant is permitted to leave the jurisdiction of this Court subject to the condition that prior to his leaving the jurisdiction of this Court, the applicant shall submit his itinerary to the Investigating Officer and after intimating the I.O. about the same is permitted to leave the jurisdiction of this Court. The applicant is further directed to inform the Investigating Officer of his return in the jurisdiction of this Court.

5) The condition no.5 is modified only with a view to facilitate the applicant to attend the Sessions of Rajya Sabha and the meetings of the political party of which he is a Member. It is made abundantly clear that the applicant shall not leave the country without prior permission of this Court. The applicant is hereby directed to submit an attested photocopy of the passport with the Investigating Officer before seeking the permission to leave the jurisdiction of this Court.

6) The application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)