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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO.447 OF 2016
IN
BAIL APPLICATION NO.1330 OF 2015**

Yogesh Kannubhai Darji

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.S.S.Karmarkar, for the Applicant

Mr.H.J.Dediya, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 30th JUNE, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks modification of the condition imposed by this Court vide order dated 15th December, 2015, passed by this Court in Bail Application No.1330 of 2015, whilst enlarging the applicant on bail. The condition of which modification is sought reads as under;-

“9.(i) The applicant Yogesh K. Darji be released on bail on his furnishing PR bond in the sum of Rs.5 lacs with one or two solvent local sureties in the like amount.”

3. Learned Counsel for the Applicant submitted that vide the aforesaid order dated 15th December, 2015, the applicant was enlarged on bail on his furnishing PR Bond in the sum of Rs.5 lacs with one or two solvent local sureties in the like amount. In addition to the PR Bond and solvent sureties, the applicant was directed to deposit an amount of Rs.5 lacs as a cash bail in the Registry of the Trial Court till the conclusion of trial. He submitted that the applicant, thereafter filed an application, being Criminal Application No.1079 of 2015, seeking relaxation of the condition imposed by this Court by order dated 15.12.2015, in particular condition 9(i). Accordingly, this Court vide order dated 21.1.2016 was pleased to relax the said condition for a period of 6 weeks and the applicant was permitted to deposit Rs.2.5 lacs as a cash bail. Learned Counsel for the applicant submitted that the applicant is unable to get solvent 'local' sureties and therefore, prays that (i) the applicant be permitted to furnish one or two solvent sureties from within the State of Maharashtra; and (iii) the applicant be granted further extension of 4 weeks to furnish the sureties.

4. Learned A.P.P, states that he has no objection if the order is modified to the above extent.

5. Accordingly, for the reasons set out in the application, following order is passed :

ORDER

- (i) The applicant Yogesh K. Darji be released on bail on his furnishing PR bond in the sum of Rs.5 lacs with one or two solvent sureties in the like amount. The said sureties shall be from within the State of Maharashtra;
- (ii) Time to furnish sureties is extended by 4 weeks. In other words, the applicant to furnish sureties as per clause (i) above within 4 weeks from today;
- (iii) Rest of the conditions imposed vide order dated 15th December, 2015 and 21st January, 2016, to remain as it is.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.