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

**CRIMINAL APPLICATION NO.786 OF 2016
IN
CRIMINAL APPEAL NO.1110 OF 2015**

Panemangalore Srinivasa Shenoy	... Applicant
Versus	
CBI BS&FC Mumbai and Anr.	...Respondents

Mr.V.N.Shingnapurkar, for the Applicant.

Mr.S.K.Shinde, Special Public Prosecutor, for Respondent No.1-CBI.

Mr.A.R.Kapadnis, A.P.P for the Respondent No.2-State.

***CORAM : REVATI MOHITE DERE, J.
DATE : 8th DECEMBER, 2016***

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks modification of the order dated 10th December, 2015, passed by this Court and prays that the bail amount be reduced.
3. Learned Counsel for the applicant states that the applicant was

enlarged on bail vide order dated 10th December, 2015 and was released on the same bail as granted by the trial Court with fresh bond i.e. of Rs.2 lacs. He submitted that the earlier surety wants a discharge and hence the applicant is now required to arrange for a new surety. He submits that the applicant is aged about 72 years and it is very difficult for him to arrange for a new surety for the said amount of Rs.2 lacs. He submits that the applicant is also suffering from various illness and his pension is the main source of his income. He, therefore, prays that the bail amount be reduced and he be permitted to give fresh surety for a lesser amount.

4. Mr.Shinde, learned Special Public Prosecutor states that the applicant should be directed to give fresh surety and that he should not be released only on cash bail, without surety.

5. Perused the papers. It appears that this Court vide order dated 10th December, 2015 had enlarged the application on the same bail as granted by the trial Court with fresh bond. The trial Court had released the applicant on bail of Rs.2 lacs, pending trial. It appears that pursuant to the order dated 10th December, 2015, surety was given for the said amount of

Rs.2 lacs. It appears that the said surety does not want to continue as surety and wants his discharge.

6. Considering the peculiar facts of the case, the order dated 10th December, 2015, passed by this Court is modified, inasmuch, the applicant shall now furnish P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

7. Needless to state, that when the fresh surety/sureties are given for the modified amount, the earlier surety shall automatically stand discharged.

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

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

REVATI MOHITE DERE, J.