

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

BAIL APPLICATION NO.1717 OF 2015

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. J.H. Oak for Applicant.
Ms. P.P. Shinde, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 21st January 2016

P.C.:

1] This is an application for modification of condition no.(I) imposed by order dated 27th July 2015 by the learned Metropolitan Magistrate, 29th Court, Dadar, Mumbai.

2] By the said order, the applicant has been ordered to be released on bail on certain condition. The condition no.I reads as under:

“(I) Accused Noor Mohd. Javed Ali Naiya be released on PB and two sureties of Rs.50,000/- (Rs. Fifty Thousand Only) each. Out of two sureties, one surety be from Mumbai and another surety be from residential place i.e. Fatikberiya, Nand Kishorpur, Kunchfal, Kulpi, South, 24 Parganas, West Bengal, PIN-743399.”

3] The learned Counsel for the applicant submitted that though the order is passed in the month of July 2015, the applicant is still languishing in jail as he could not comply with the aforesaid

condition. He therefore submitted that the applicant may be permitted to submit two local sureties from the city of Mumbai.

4] It is the fact that though the applicant was ordered to be released on bail by an order dated 27.7.2015, he is still in jail as he could not comply with aforesaid condition. After taking into consideration the aforesaid fact, I am inclined to modify the said condition. Hence, the following order:

- (i) The condition no.(I) of the order dated 27.7.2015 is hereby modified and the applicant is directed to furnish two local sureties in the amount of Rs.50,000/- from the city of Mumbai.
- (ii) The rest of the conditions imposed on the applicant are not disturbed.
- (iii) The application is allowed in the aforesaid terms.
- (iv) All the concerned to act on the authenticated copy of this order.

(A.S. GADKARI, J.)