

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.973 OF 2015
IN
BAIL APPLICATION NO.1826 OF 2014

Mr.Ramesh Prabhakar. ..Applicant.
vs.
CBI and anr. ..Respondents.

Ms. Priyanka Dubey i/by P. R.Yadav for the Applicant.
Mr. Sandeep Shinde with Y.M.Nakhawa for Respondent No.1.

CORAM : A.S.GADKARI, J.
DATE : 28th January, 2016

PC:

This is an application for relaxation of conditions imposed upon the applicant by order dated 8.5.2015 while releasing the applicant on bail. The applicant is seeking relaxation of condition Nos.(ii) and (v) of the order dated 8.5.2015 which reads as under:-

(ii) The applicant shall report to the office of the CBI BS and FC, Mumbai on every Saturday from 11.00 a.m. to 1.00 a.m. till the conclusion of the trial.

(v) The Applicant shall not leave Mumbai and Thane District, without the permission of the Trial Court.

2) The learned counsel for the applicant submitted that since the date of release of the applicant from Jail he is regularly complying the condition No.(ii). She further submitted that the applicant originally hails from the City of Delhi. That, his son is taking education there and he may be allowed to leave Mumbai and Thane District without the permission of the Trial Court. She

submitted that the said conditions are stringent and are difficult to follow. The learned APP appearing for CBI vehemently opposed the application.

3) After taking into consideration the said fact that since the date of release the applicant is attending the office of the CBI as stipulated by the said order on every Saturday from 11.00 to 1.00 p.m. I am inclined to modify the said condition.

4) As far as condition No.5 is concerned this court, after taking into consideration, gravity of the offence and other related aspects have imposed the said condition and the said need not be modified. By the said condition the applicant is permitted to take the permission of the Trial Court if he so desires and therefore, in my opinion, the said condition need not be modified at all.

Hence, the following order.

ORDER

a) The condition No.(ii) in order dated 8.5.2015 is hereby modified and the applicant is hereby directed to report to the office of CBI on very first Monday of the month between 11.00 a.m. to 1.00 p.m. till the conclusion of the trial.

b) Rest of the conditions imposed upon the applicant by the order dated 8.5.2015 are not disturbed.

c) Application is partly allowed in the aforesaid terms.

(A.S. GADKARI, J.)