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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1079 OF 2015
IN
BAIL APPLICATION NO.1330 OF 2015

Yogesh Kannubhai Darji

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Ms. Rushita Jain i/b Law Global Advocates for Applicant.

Ms. S.S. Kaushik, APP for State.

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

1 This is an application for relaxation of the condition imposed upon the applicant by order dated 15.12.2015 passed by this Court.

2 While releasing the applicant on bail, this Court imposed following condition upon the applicant:

“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 The learned Counsel for the applicant submitted that till date the applicant could not comply with the aforesaid condition. She submitted that except applicant's wife, there is no one in his family to take care of his matter. She submitted that though the order is passed on 15.12.2015, due to non-compliance of the aforesaid condition, the applicant is still languishing in jail. She therefore prayed that either the amount of PR bond may be reduced or the applicant may be released on bail, on his furnishing cash bail of lesser amount. She further submitted that as far as the rest of the conditions are concerned, the same have been complied with by the applicant. The learned APP on the other hand vehemently opposed the present application.

4 After taking into consideration the facts mentioned in the present application and in the interest of justice, I am inclined to relax the aforesaid condition for a period of six weeks from today. Hence, the following order:

- (i) The condition no.9(i) as aforesaid is hereby relaxed for a period of six weeks from today.
- (ii) The applicant is permitted to deposit Rs.2.5 lacs as a cash bail.
- (iii) After his release from jail, the applicant shall comply with the condition no.9(i) without any excuse within the aforesaid period, failing

which the applicant will be liable for the proceedings for cancellation of bail.

(iv) The application is allowed in the aforesaid terms.

(v) All the concerned to act on the authenticated copy of this order.

(A.S. GADKARI,J.)