

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 119 OF 2017

Emanuel Onyeka Okapara ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. Gaurav Parkar, Advocate for the Applicant.
Mr. Sooraj S. Hulke, APP for Respondent – State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **23rd March, 2017.**

P.C.:

This Application is moved for relaxation of bail condition. By the order dated 30th October, 2015 this Court has directed the applicant to furnish one or two local sureties of Rs.50,000/- wherein the applicant/accused is facing charges under sections 420, 465, 467, 471 of the Indian Penal Code and under sections 66C and 66D of the Information Technology Act. The applicant/accused is arrested on 1st July, 2014.

2. The learned counsel for the applicant/accused has submitted that though on merit the applicant/accused was granted bail on 30th October, 2015, he was unable to get two local sureties of Rs.50,000/- as he is foreign national. The learned counsel argued that the applicant/accused has surrendered his passport in one case

registered at C.R. No. 13 of 2014 with Manikpur Police Station, Thane Rural. The learned counsel submitted that if at all this condition is not relaxed, the purpose of bail will be frustrated.

3. Learned APP opposed the Application and submitted that besides one C.R. registered with Manikpur Police Station, there is one more case registered at Ranchi which is pending against the applicant/accused and therefore, the condition of furnishing surety is not to be relaxed.

4. Considered the submissions made by the learned counsel for both the sides. Perused the documents placed before the Court. As the applicant/accused is in the prison since last 2 ½ years and he was granted bail on 30th October, 2015, I am inclined to reduce the surety amount from Rs.50,000/- to Rs.40,000/-. The rest of the order dated 30th October, 2015 is maintained.

5. Considering the period undergone by the applicant/accused in the jail, the learned trial Judge is directed to expedite the matter and conclude it within six months after the receipt of the order .

6. Application is partly allowed.

(MRIDULA BHATKAR, J.)