

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

CRIMINAL APPLICATION NO.126 OF 2017

IN

CRIMINAL BAIL APPLICATION NO. 360 OF 2015

Mr. Mohammed Zamirulla Khan

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Lokesh Zade for the applicant.

Mr. A. R. Kapadnis, APP for the respondent - State.

CORAM : PRAKASH D. NAIK, J.

DATE : 21 JULY, 2017

P.C. :

1. The applicant was released on bail by this Court vide order dated 2nd March, 2015. While granting bail it was directed that the applicant shall attend Byculla Police Station, Mumbai once in a fortnight on Saturday between 10.00 am to 11.00 am till the conclusion of the trial.

2. The applicant has preferred this application seeking relaxation of the said condition as directed in the aforesaid order. As per the said order the applicant has complied with the directions of attending

the police station. The order was passed in 2015. The applicant has been attending the police station since last about two years. It is, therefore, submitted that the said condition may be relaxed. The learned advocate for the applicant submits that the applicant undertakes to appear before the trial Court on every date of hearing without any default.

3. Learned APP further opposed prayer made by the applicant. It is submitted that the condition was imposed taking into consideration the grant of bail to the applicant and at the most the applicant may be directed to attend the police station once in a month.

4. It is noted that the applicant has attended the police station since date of his release. The bail was granted in the year 2015. The applicant is aged about 54 years and he has been attending the police station regularly. The applicant is willing to attend the trial Court on the date of hearing.

5. Taking into consideration the aforesaid facts, the condition imposed by this Court in clause 2 of the operative part of order of order dated 2nd March, 2015 can be relaxed.

:: ORDER ::

- (i) The condition imposed in the operative part of order dated 2nd March, 2015 passed in Criminal Bail Application No.360 of 2015 directing the applicant to attend the police station is hereby relaxed.
- (ii) The applicant shall attend the trial Court on the date of hearing unless exempted by the trial Court.
- (iii) In the event of any default, the prosecution is at liberty to prefer an application for cancellation of bail.
- (iv) Application stands disposed of.

[PRAKASH D. NAIK, J.]