

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.119 OF 2017

Saymon Onyak and ors.

..Applicants.

vs.

The State of Maharashtra

..Respondent.

Mr. Rajendra Bidkar for the Applicant.

Mr. Prashant Jadhav,APP. for the State.

CORAM : A.S.GADKARI, J.

DATE : 13th September, 2017.

P.C.

1. This is an application for modification of the order dated 23.3.2016 passed by the Judicial Magistrate First Class, Panvel in CR No.4/2016 registered with Khandeshwar Police Station, Navi Mumbai.

2. By an order dated 23.3.2016, the applicants/accused are directed to be released on bail in the said crime for an offence punishable under Section-420, 489(c) read with Section 34 of the I.P.C. and Section 66(c) and (d) of the Information Technology Act and the applicants have been directed to furnish PR and surety bond of Rs.50,000/- each with one or two sureties on certain conditions.

3. The learned counsel for the applicants submitted that though the order of release on bail has been passed by the Trial Court on 23.3.2016 as the applicants are unable to furnish sureties in the like amount, they are still languishing in jail. He therefore, prayed that said order be suitably modified.

4. The learned APP submitted that if the applicants are released on bail without imposing stringent conditions there is every possibility that the applicants may abscond and will not be available for trial.

5. Perused the record. The record clearly indicates that the applicants are foreign nationals and have indulged into crime of circulating fake currency in India. However, as the trial Court has already passed an order releasing them on bail, I am inclined to modify the said order.

Hence, the following order.

- a) The applicants be released on bail on their furnishing PR bond of Rs.1,00,000/- and cash surety of Rs.50,000/- each for a period of two months from the date of their actual release from jail subject to following conditions.
- b) Before they are released from Jail the applicants shall provide their prospective residential latest address to the Investigation agency.
- c) The applicants shall also file an affidavit mentioning their prospective residential address and giving an undertaking to the effect that within a period of 60-days from the date of actual release they shall furnish one or two solvent local sureties to make up the bail amount.
- d) The applicants to give further undertaking that they will attend each and every date of the trial, in the trial Court.
- e) During the period on bail the applicants shall attend the

concerned police station on every 1st and 3rd Monday of the month between 10.00 a.m. to 1.00 p.m. and mark their presence thereto.

g) It is made clear that if the applicants failed to comply with the aforesaid conditions within a period of 60 days from their actual release from jail, no further extension will be granted and the applicants will have to surrender to the Jail custody.

S.O. for 3-months for compliance.

(A.S. GADKARI, J.)