

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

**CRIMINAL APPLICATION NO.760 OF 2015
IN
BAIL APPLICATION NO.1342 OF 2012**

Dattatray B. Karpe

... Applicant

Vs.

The State of Maharashtra

.. Respondent

Mr.M.S. Kadu for the Applicant

Mr.S.H. Yadav, APP, with Mr.S.S. Pednekar for Respondent –
State

Mr.Y.S. Rakshe, API, Shirdi Police Station, Ahmednagar – present

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: FEBRUARY 9, 2017

P.C. :

1. This application is moved for modification of condition in the order dated 20.10.2012 passed in Bail Application No.1342 of 2012 whereby the applicant was directed that he shall stay in Nasik city and shall report at the Bhadrakali Police Station on every Sunday between 10 am to 1pm, till the trial is over.

2. The learned Counsel for the applicant/accused has submitted that the applicant/accused has been staying in Nasik

city since 2012 and has been attending the Bhadrakali Police Station, as per the Court order. The learned Counsel further submitted that he is a resident of Shirdi, where his parents are staying and, therefore, he be allowed to go and meet his parents. It is also submitted that the applicant/accused is a 40% disabled person.

3. Learned Prosecutor has opposed the application and submitted that the applicant/accused is facing charges under Maharashtra Control of Organised Crime Act and the trial will be commencing in two weeks and hence, the presence of the applicant/accused is very much required.

4. The applicant/accused has been staying in Nasik since 2012 and has been attending the Bhadrakali police station every Sunday. I have considered the submissions of the learned Counsel for the applicant as also the learned Prosecutor. As the condition of stay in Nasik is imposed in 2012 and the applicant is attending the police station as per the order, the said condition is hereby relaxed. However, the applicant/accused is directed to give an undertaking, before the learned Sessions Judge, Nasik, where

his case is pending, that he shall attend all the Court dates when the trial will commence and shall attend the Bhadrakali police station, on alternate Sundays between 10am to 1pm.

5. Criminal Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)