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

CRIMINAL APPLICATION NO.491 OF 2017

Dinesh Dattaram Patil

...Applicant

Versus

1. The State of Maharashtra

2. The Senior Police Inspector

...Respondents

Mr.Mahesh Vaswani and Ms.Manashi Mahanta i/b Ms.D.N.Nagda, for the Applicant.

Mr.S.S.Pednekar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 13th SEPTEMBER, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the Applicant seeks modification of the condition imposed by the learned Additional Sessions Judge-2, Thane, vide

order dated 11th July, 2017.

3. The condition of which modification is sought, reads thus:-

“4.

1. ...

2. **The applicant/accused – Mr.Dinesh Dattaram Patil be released on bail on executing his P.R.bond of Rs.5,00,000/- (Rs.Five Lacs only) and surety of like amount on following condition:-**

A) He shall not tamper, pressurize or threaten the prosecution witnesses and be of good behaviour.”

4. Learned Counsel for the applicant submits that the applicant is unable to give surety of the amount of Rs.5 Lakhs. He submitted that the other co-accused have been enlarged on bail on executing P.R and S.B. of Rs.25,000/- with one or two sureties in the like amount. He relied on the orders, which are on page nos.18 and 21 of the application.

5. Perused the papers. It appears that the other co-accused have been enlarged on bail on executing P.R and S.B. of Rs.25,000/- with one or two sureties in the like amount. As far as the present applicant is concerned, there is nothing in the order dated 11th July, 2017, to show, why the applicant was directed to be enlarged on bail on executing his P.R.bond of Rs.5,00,000/- (Rs.Five Lacs only) and surety of like amount. Nor has the role of the applicant been discussed, to justify the release of the applicant on executing P.R.bond of 5,00,000/- and surety of like amount.

6. Considering the aforesaid, the application is allowed and the condition set out in clause 2 of para 4, imposed by the learned Additional Sessions Judge-2, Thane, vide order dated 11th July, 2017, stands relaxed and modified.

7. Accordingly, the Applicant be released on bail on executing his P.R.bond of Rs.25,000/- (Rs.Twenty-Five Thousand only) and one or two sureties of like amount. Rest of the conditions imposed vide order dated 11th July, 2017, to remain as it is.

8. The Application is allowed and disposed of in above terms.
9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)