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

CRIMINAL APPLICATION NO.536 OF 2017

Hitesh B. Shyani

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms.S.I.Singh, for the Applicant.

Ms.Anamika Malhotra, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 29th SEPTEMBER, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks relaxation/modification of the condition imposed vide order dated 16 August 2017 passed by the learned Additional Sessions Judge, Greater Bombay in Criminal Bail Application No.1261 of 2017. The modification / relaxation of the condition which is sought reads as under:-

“The applicant/accused be released on bail on executing

P.R. Bond and surety bond of Rs.3,00,000/- (Rupees Three lakhs only) with one local solvent surety in the like amount.”

3. Learned counsel for the Applicant submits that the Applicant is a native of Gujarat and does not have any acquaintance in Mumbai and, therefore, it is not possible for him to get local solvent surety and hence the condition of 'local' surety be relaxed. He submitted that the bail amount also be relaxed / modified from Rs.3,00,000/- to Rs.1,00,000/-.

4. Learned APP has no objection if the said condition is modified / relaxed.

5. Perused the papers. The Applicant was enlarged on bail in C.R. No.168/2017 registered with BKC Police Station, Mumbai, for the offences punishable under Section 406, 420 read with 34 of the Indian Penal Code. The Applicant is a resident of Gujarat and has no relatives in Mumbai, who are ready to give surety. The bail amount also requires to be relaxed.

6. Considering the aforesaid, the condition in para 7(2) of the order dated 16 August, 2017 passed by the learned Additional Sessions Judge, Greater Bombay in Bail Application No.1261 of 2017 is relaxed / modified. The Applicant shall now be released on bail on his executing P.R. bond in the sum of Rs.1,00,000/- (Rupees one lakh only) with one or more solvent sureties in the like amount. Rest of the conditions shall remain the same.

. All concerned to act on an authenticated copy of this order.

(REVATI MOHITE DERE, J.)