

Anand

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

CRIMINAL APPLICATION NO. 556 OF 2017

Mostafikar alias Rony Abdul Hanan Mondal .Applicant

Vs.

The State of Maharashtra .Respondent

Smt. R. Singh, Advocate, for the Applicant
Mrs. Rutuja Ambekar, APP, for the Respondent – State

CORAM : A.S.GADKARI, J.

DATE : 20.12.2017

P.C.

. This is an Application for relaxation and/or modification of Condition No. 2 imposed upon the Applicant while releasing him on bail by the learned Addl. Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi, Mumbai by its Order dated 29.06.2017.

2. By the said condition, the Applicant is directed to execute PR Bond of Rs. 30,000/- with one solvent surety in the like amount.

3. The learned counsel for the Applicant submitted that the Applicant is ordinary resident of West Bengal and therefore, he is unable to give one solvent surety in the like amount. She further submitted that though the Applicant is directed to be released on bail by an Order dated 29.06.2017, because of the said onerous condition the

Applicant is still languishing in jail. She, therefore, submitted that the said condition may suitably be modified.

4. In view of the above and in view of the fact that despite there being an Order of release of Applicant on bail dated 29.06.2017, the Applicant is still languishing in jail, I am inclined to modify the said condition.

Hence, the following order.

(i) The condition No. 2 imposed upon the Applicant by an Order dated 29.06.2017 by the learned Addl. Sessions Judge, City Civil & Sessions Court, Borivali Division, Dindoshi, Mumbai is hereby modified and the Applicant is permitted to furnish one or more solvent sureties from the jurisdiction of Greater Mumbai in the like amount i. e. to make up an amount of Rs. 30,000/-;

(ii) Rest of the conditions imposed upon the Applicant by the said Order dated 29.06.2017 are not disturbed.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)