

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (APPP) NO. 1081 OF 2017

IN

CRIMINAL APPLICATION (BA) NO. 444 OF 2017 (D)

(MOSAM DATTATRAY SURAMWAR....VS.. STATE OF MAH. THR. PSO SAOLI, DIST. CHANDRAPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.O.Ahmed, Advocate for Applicant.
Shri M.J.Khan, Advocate for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 02, 2017.

Heard.

By this application, the applicant seeks modification of the condition imposed while allowing the application filed by the applicant under Section 439 of the Code of Criminal Procedure. It is contended that though the application is allowed by the order passed on 30th June, 2017, the applicant could not arrange the amount of Rs.One Lakh required to be deposited as security as per the order dated 30th June, 2017 and therefore, he continues to be in jail. *Prima-facie*, it appears that the difficulty expressed by the applicant in this application is genuine.

Considering the facts of the case, the order passed on Criminal Application (BA) No.444 of 2017 on 30th June, 2017 is modified and it is directed that the applicant having been arrested in Crime No. 50 of 2017 registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Twenty Five Thousand and furnishing one solvent surety in the like amount.

The criminal application is **allowed** accordingly.

JUDGE