

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION (APL) NO.791/2017**

Ashok s/o Kacharuji Raut ..vs.. State of Maharashtra through PSO P.S.
Deori, Tq. Deori, Dist. Gondia

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

Court's or Judge's orders.

Mr. R. M. Pande, Advocate for applicant.

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 13, 2017

1. Heard Mr.Pande, learned counsel for applicant.
2. This is an application for relaxation of condition. The applicant is Junior Engineer and working with Public Works Department of the State of Maharashtra at Morgaon Arjuni and is facing prosecution at the hands of Anti Corruption Bureau, Gondia. A crime is registered against him vide Crime No.248/2017 for an offence punishable under Section 7 of the Prevention of Corruption Act. The applicant was arrested on 04.10.2017. The applicant thereafter filed an application for bail on 04.10.2017. The said application was allowed vide order dated 07.10.2011 by Additional Sessions Judge, Gondia. The applicant was released on bail on a condition that he shall not enter village Deori till the filing of the charge-sheet in the Court nor shall tamper with the prosecution witness and shall attend the Anti Corruption Bureau's Office and concerned Police Station as and when called for interrogation. Subsequent to this

order, bail bonds were executed and the applicant was released on bail.

3. After the applicant was released on bail, on 16.10.2017, an application for relaxation of condition was filed by the present applicant. By the said application, the applicant has prayed for relaxation of the condition of not entering the village Deori till the filing of the charge-sheet. The reason given by the applicant in the application is that the parents of the applicant are old aged and he will be deprived of celebrating Diwali festival with his family members. It is also stated that there is no other male member in family of the applicant to look after his parents.

4. The said application is rejected by the learned Sessions Judge, Gondia on 27.10.2017. The learned Sessions Judge, while refusing to relax the condition of not entering the village Deori on the ground of taking proper care of his old aged parents has found that it is always open for the applicant to keep his old aged parents with him instead of going to Deori.

5. In view of above, no exception can be taken to the reasoning given by the learned Sessions Judge. No case is made out for relaxation of the condition.

The application is therefore rejected.

JUDGE