

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

CRIMINAL APPLICATION NO.1217 OF 2018

IN

CRIMINAL BAIL APPLICATION NO. 868 OF 2018

Rajaram @ Raju Dattatray @ Shashikant.... Applicant
Shinde

Vs.

The State of Maharashtra Respondent

Mr. Sagar Tambe I/by Mr. Ritesh Thobde for the applicant.
Mrs. P.P. Shinde, APP for the State.

Coram : SMT. SADHANA S. JADHAV, J.

Date : 1st November 2018

P.C.:

1 This is an application seeking modification of the conditions imposed upon the applicant vide order dated 11th June 2018 in Criminal Bail Application No. 868 of 2018.

2 The applicant was enlarged on bail vide order dated 11th June 2018 and was directed not to enter into the jurisdiction of Malshiras except for attending scheduled dates before the Sessions Court till the conclusion of trial.

3 Learned counsel for the applicant submits that the co-accused, Sanjay Dattatray @ Shashikant Shinde has also been enlarged on bail by this Court vide order dated 5th February 2018 and no such conditions were imposed upon him. Hence, on the ground of parity, he seeks relaxation of the conditions.

4 The application deserves to be allowed as there is no complaint by the investigating agency that he has committed breach of the said order in the past six months.

5 Clause no. 2 of the operative order dated 11th June 2018 is hereby recalled. The applicant shall give an undertaking to Malshiras Police Station stating therein that he would attend each and every scheduled dates before the Sessions Court and shall not seek any adjournments. The application is allowed in above terms and stands disposed of.

6 Learned APP, upon instructions submits that there are

serious disputes between the family members and therefore modification of conditions may amount to law and order situation. In case, there is any complaint against the applicant in respect of any cognizable offence, the prosecution would be at liberty to file an application under Section 439 (2) Cr.P.C.

(SMT. SADHANA S. JADHAV, J.)