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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.40 OF 2018
IN
CRIMINAL APPEAL NO.94 OF 2017

The State of Maharashtra ..Applicant

vs.

Tukaram Dattu Chothave ..Respondent

Mr.H.J. Dedhia, APP for the State/Applicant.

Mr.Aniket Nikam, for the Respondent.

**CORAM : INDRAJIT MAHANTY &
V.K.JADHAV, JJ.**

DATE : 13th December, 2018.

P.C.

1] Heard learned counsel for the parties.

2] This application has been filed by the State seeking cancellation of bail granted to the Respondent (Original accused No.1) by this Court in Criminal Application No.344 of 2017 in Criminal Appeal No.94 of 2017 in Sessions Case No.255 of 2014 arising out of C.R. No.96 of 2014 registered with Panchvati Police Station, Nashik.

3] Mr. Dedhia, the learned APP pressed this application inter alia bringing certain subsequent events into consideration, inasmuch as alleging that the

Respondent/original Accused No.1 has been granted bail by this Court, but he has continued to be involving in various other cases referred in para 8 of the application, including serious offences. Therefore, the learned APP prays for quashing and setting aside the order of bail granted in favour of the respondent.

4] Mr. Aniket Nikam, learned counsel appearing for respondent/accused No.1, on the other hand submits that the cases cited in para no.8 are all cases in which the Respondent is already released on bail. He, therefore, prays for rejection of the present application.

5] On the last occasion, when the matter was listed before this Court, we have called upon Mr.Aniket Nikam, learned counsel for the Respondent to ascertain from his client i.e. Respondent as to whether he could remain outside the district of Nashik and if so which is the nearest Police Station where the respondent/accused No.1 could be asked to report. Accordingly, today Mr. Aniket Nikam, on instructions, filed the following details :

Present Accused No.1/Respondent submits that he wills stay at Village - Sirasgaon, Taluka – Vaijapur, District – Aurangabad and he will report to Veergaon Police Station, Taluka – Vaijapur.”

6] On hearing the learned APP for the State and learned counsel for the Respondent/accused No.1, we are of the considered view that the impugned order of granting bail to the respondent/accused no.1 in Criminal Application No.344 of 2017 dated 5th June, 2017, needs to be modified.

7] The order of bail passed in Criminal Application No.344 of 2017 dated 5th June, 2017 stands modified to the extent that the Accused No.1 shall

remain on bail, but shall remain at the addressed submitted by the learned counsel for the Respondent/accused No.1 in the Court today and shall report at Veergaon Police Station, on Sunday, once in every fortnight between 8.00 am to 11.00 am. Further, he shall neither interfere in any pending investigation, nor shall try to threaten any witness in the matter. He shall not enter the District of Nashik, except for the purpose of attending these cases and with prior intimation to Veergaon Police Station.

7] Accordingly, Criminal Application No.40 of 2018 stands disposed off.

The Appeal shall be heard in due course.

(V.K.JADHAV, J)

(INDRAJIT MAHANTY, J)