

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

**CRIMINAL APPLICATION NO. 72 OF 2018
IN
CRIMINAL APPLICATION NO.129 OF 2017**

Smt. Binadevi Manoj Singh Chouhan Applicant
Vs.
The State of Maharashtra Respondent

Mr. Rajesh Arvind More for the Applicant.
Ms. Veera Shinde APP for the State.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 14th February, 2018

P.C.:

1 Heard the learned counsel for the applicant and the learned APP.

2 The applicant was enlarged on bail by the Sessions Court, Raigad on 24th January 2017 in Crime No.343 of 2016, registered at Panvel City police station. The learned Court had passed an order that the applicant be enlarged on bail on furnishing P.R. Bond of Rs.25,000/- with local surety of like amount.

3 The applicant has approached this Court by filing Criminal Application No.129 of 2017, wherein the order was modified that the applicant be released on bail upon furnishing P.R. bond in the sum of Rs.25,000/- with one or two local sureties from Pune or Mumbai in the like amount and also directed to deposit an amount of Rs.10,000/- by cash with the Special Court, Raigad-Alibag. The husband of the applicant is in Arthur Road jail. The applicant is also in the custody since she could not furnish bail and solvent sureties. The minor children of the applicant are in Remand Home. Hence, the order dated 3rd March, 2017 deserves to be modified, since the applicant is in custody even after grant of bail since 24th January 2017. It is settled law that the conditions imposed while granting bail should not be so cumbersome that they would frustrate the very purpose of grant of bail and hence, the order stands modified.

“The applicant be enlarged on bail on furnishing P.R. bond of Rs.15,000/- with one or more sureties in the like amount to the satisfaction of the Court”.

4 Learned counsel submits that the applicant would deposit cash of Rs.10,000/- within four weeks from the date of release.

(*Smt. Sadhana S. Jadhav, J*)