

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 189 OF 2018**

Dinesh Narshidas Kotecha	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Satyaram R. Gaud for the Applicant

Ms. J. S. Lohokare, A.P.P for the Respondent-State

Mr. Vijendra Kumar Rai a/w Ms. Iram Sayed and Ms. Priti Jaiswal for the Intervener

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 25th APRIL, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks modification of the condition imposed by the learned Sessions Judge vide order dated 13th March, 2018 in Misc. Application No. 82 of 2018 filed in Anticipatory Bail Application No. 226 of 2018.
3. Perused the papers. The applicant was granted pre-arrest bail by the learned Sessions Judge vide order dated 6th February, 2018 passed in

Anticipatory Bail Application No. 226 of 2018 on his executing personal bond of Rs. 3 lakhs with one or two solvent sureties in the like amount. The learned Sessions Judge also imposed several other conditions on the applicant i.e. condition Nos. (b) to (f).

4. Being aggrieved by the order directing the applicant's release on executing personal bond of Rs 3 lakhs with one or two solvent sureties in the like amount, the applicant preferred an application seeking modification/relaxation of the said condition and for reduction of the said amount. The learned Sessions Judge was pleased to allow the said application being Misc. Application No. 82 of 2018 and as such modified condition Nos. (a) and (b) of the order dated 6th February, 2018 and directed the applicant to be released on bail in connection with MECR No. 2 of 2017 registered with the Pydhonie Police Station by executing personal bond of Rs. 2,00,000/- with one or two solvent sureties in the like amount. The learned Judge was also pleased to relax the condition of attendance from daily to once in a week on every Monday between 11:00 a.m. to 2:00 p.m.

5. The applicant being aggrieved by the aforesaid, has filed the aforesaid application. According to the learned counsel for the applicant, the applicant is unable to execute personal bond of Rs. 2,00,000/- and as such seeks reduction of the said amount.

6. Learned counsel for the respondent-complainant vehemently opposed the application. He submits that no interference is warranted in the said order dated 13th March, 2018. It is informed that there are cases lodged by the applicant as against the complainant as well as by the complainant as against the applicant.

7. Be that as it may, there are several conditions imposed by the learned Sessions Judge vide order dated 6th February 2018 which would ensure that the applicant does not abscond. Accordingly, the application is allowed in the following terms :

ORDER

(i) Condition (a) of the order dated 13th March 2018 is modified. The applicant shall now be released on bail in the event of his arrest in connection with MECR No. 2 of 2017

registered with the Pydhonie Police Station on his executing personal bond of Rs. 50,000/- with one or more solvent sureties in the like amount;

(ii) Clause (b) of the order dated 13th March 2018 is modified. The applicant shall now attend the concerned police station as and when called.

8. Application is accordingly disposed of.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.