

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

**CRIMINAL APPLICATION NO.588 OF 2018
IN
CRIMINAL BAIL APPLICATION NO.1205 OF 2015**

Shoeb Hamid Khan .. Applicant

Vs.

State of Maharashtra .. Respondent

.....
Mr.Husen Shaikh, Advocate for the Applicant.
Mr.A.R. Kapadnis, APP for the Respondent – State.
.....

CORAM : PRAKASH D. NAIK, J.

DATED : OCTOBER 25, 2018.

P.C. :

This is an application for relaxation of condition of attendance. The applicant was granted bail by this Court vide Bail Application No.1205 of 2015 by order dated 17th July, 2015. While granting bail, the applicant was directed to attend Byculla Police Station, Mumbai, once a week i.e. on every Saturday between 10:00 a.m. to 11:00 a.m., till conclusion of trial. Applicant thereafter preferred an application for modification of the said order. By order dated 8th February, 2016, the earlier order dated 17th July, 2015, was modified and the applicant was directed to

attend Byculla Police Station, Mumbai, once in a fortnight on every first and third Saturday between 10:00 a.m. to 12:00 noon, till conclusion of the trial.

2 Learned counsel for the applicant submits that the applicant had complied the conditions of attendance imposed while granting bail, and, he has been diligently attending the police station in accordance with the order dated 17th July, 2015, as well as the modified order dated 8th February, 2016. Learned counsel also produced the attendance diary to support his submission with regards to his attendance. He also pointed out the order passed by this Court in Criminal Application No.126 of 2017, relaxing the similar conditions imposed while granting bail to the co-accused.

3 It is not disputed that the applicant has attended the police station in accordance with the orders passed by this Court. The applicant has been attending the police station after his release on bail since 2015. In the aforesaid circumstances, the relief sought in this application can be granted on certain conditions.

4 Hence, I pass the following order:

:: ORDER ::

- (i) Criminal Application No.588 of 2018, is allowed;
- (ii) The conditions imposed by this Court vide modified order dated 8th February, 2016, directing the applicant to attend Byculla Police Station, Mumbai, once in a fortnight on every first and third Saturday between 10:00 a.m. to 12:00 noon, till conclusion of trial, is hereby relaxed;
- (iii) The order dated 8th February, 2016, in Criminal Application No.75 of 2016, the applicant was attending the trial Court on the date of hearing, unless exempted by the Court;
- (iv) In the event of any default, the prosecution will at liberty to prefer an application for cancellation of bail;
- (v) Criminal Application No.588 of 2018, stands disposed of.

(PRAKASH D. NAIK, J.)