

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

**CRIMINAL APPLICATION NO. 786 OF 2017
IN
BAIL APPLICATION NO. 174 OF 2017**

Kailash Agarwal **... Applicant**

V/s.

The State of Maharashtra **... Respondent**

Mr. Gunjan Mangla for the Applicant.
Mr. R.M. Pethe, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.
DATE : 8th JANUARY, 2018**

P.C.:

. This is an application for relaxing the condition of marking presence before the Economic Offences Wing on first Sunday of each month till the conclusion of trial imposed upon the Applicant by this Court while releasing him on bail by its Order dated 28.02.2017.

2 The learned Counsel for the Applicant submitted that the Applicant is aged about 68 years and is suffering from various ailments. She further submitted that since the date of his released on bail, the Applicant has sincerely complied with the conditions imposed by the said order.

3 In view of the above and for the reasons stated in the application, the said condition is hereby relaxed and Applicant is hereinafter directed to attend the

office of the Economic Offences Wing once in three months i.e. on first Sunday of every third month between 10.00 a.m. to 2.00 p.m. till the conclusion of the trial.

4 The Applicant has also prayed for a direction for refund of Rs.1 lac deposited by him as a cash bail during the period of his furnishing solvent sureties. The learned Counsel for the Applicant submitted that as of today the Applicant has furnished solvent surety and same has been accepted by the Trial Court.

5 In view thereof, the application is also allowed in terms of prayer clause (c).

(A.S.GADKARI, J.)