

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

CRIMINAL APPLICATION NO. 515 OF 2018

Raju M. Dhali @
Ajijul Islam Dhali @ Raju Bangli ...Applicant.

Vs.

State of Maharashtra ...Respondent.

Mr. N.D. Daboo for the Applicant.
Mr. Ajay Patil, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.
DATE : 21st November, 2018**

PC :

1. This is an application for modification of Condition No.2 imposed upon the applicant while releasing him on bail by the learned Additional Sessions Judge, Pune by its Order dated 13.7.2018 passed below Exh.77 in Special Sessions Case No. 261/2017. By the said condition the applicant has been directed to be released on bail on his executing PR bond of Rs.5,00,000/- with two sureties in the like amount,.

2. The learned counsel for the applicant submitted that, though the Order granting bail to the applicant was passed on 13.7.2018, due to the said onerous condition, the applicant is still languishing in Jail. He further submitted that, co-accused Sunil Babu Pathak has been granted bail by this Court by its Order dated 7.3.2018 on condition of his executing PR bond in the sum of Rs.25,000/- with one surety in the like amount. He therefore, prayed that, the said condition No.2 be suitably modified.

3. It is a fact on record that co-accused Sunil Pathak has been granted bail by this Court in B.A. No.437/2018 on his executing PR bond in the sum of Rs.25,000/- with one surety in the like amount. The order of bail was granted to the applicant on 13.7.2018 however, due to the aforestated condition the applicant is still behind the bars.

In view of the above, I am inclined to modify the said condition.

4. The said Condition No.2 of Order dated 13.7.2018 in Special Case No.261/2017 to the extent of amount of PR bond of Rs.5,00,000/- is hereby modified and the applicant is directed to be released on bail on his executing PR bond of Rs.25,000/- with one or two solvent local sureties in the like

amount. The sureties be verified by the police.

5. The rest of the conditions imposed upon the applicant by the impugned Order are not disturbed and are maintained.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)