

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

CRIMINAL APPLICATION NO. 1476 OF 2016

IN

CRIMINAL APPEAL NO.133 OF 2016

Prakash Rama Jedhe ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Amit Mane i/b Sagar A. Mane for the applicant

Mr.S.V.Gavand , APP for the State.

CORAM: A.M. BADAR, J.

DATED: 8th JANUARY 2018

PC:-

1. This is an application by appellant/accused for modification of condition imposed on him while suspending the sentence and releasing on bail vide order dated 21.3.2016 passed in Criminal application No.210 of 2016.

2. Heard the learned advocate appearing for the appellant/accused. He argued that the applicant is residing at Satara and as per the condition imposed on him while releasing on bail, he is required to travel a distance of 400 km for attending the Court of the Special Judge at Malegaon, District Nashik though the trial against him is already concluding and the matter is pending in appeal before this Court.

3. The learned APP opposed the application by submitting that the applicant needs to attend the concerned Special Court in terms of the order dated 21st March 2016.

4. The applicant/a public servant was prosecuted and ultimately convicted for offences under Prevention of Corruption Act 1988. The appeal filed by him is already admitted for final hearing. The applicant has attended the concerned Special Court till date. The applicant was Block Development Officer. I see no reason, for continuing his

attendance at the Court of Special Judge, Malegaon, when the applicant is resident of Satara. His availability for prosecuting the appeal is not in dispute. Hence the order:

ORDER

- i) The application is allowed.
- ii) Condition No.5 in order dated 21st March 2016 passed in Criminal Application No.210 of 2016 is waived.
- Iii) The application is disposed of accordingly.

(A.M. BADAR, J)