

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.637 OF 2018

Santosh Kumar Yadav, Age 29 years,
R/o.Pitadhari Patra, Taluka Mayurkhand, Chatra,
Jharkhand (Presently lodged in Mumbai
Central Prison)

Applicant

versus

The State of Maharashtra

Respondent

Ms.Priyanka Mali I/by Anjali Patil for applicant.
Mr.S.R.Agarkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 6th December 2018

PC :

1. The applicant was granted bail by Sessions Court by order dated 26th June 2018 by directing him to be released on bail on furnishing surety of Rs.25,000/- with one or two solvent sureties in the like amount. The applicant could not furnish the said surety. Subsequently the applicant preferred an application before the same Court for modification of order dated 26th June 2018 and prayed that the applicant may be directed to be released on cash bail for a temporary period. The said application was rejected on 3rd November 2018. It is submitted that the surety produced before the Trial Court has been rejected and unless the applicant is set at liberty, he will not be in a position to provide proper surety. It is therefore prayed that for a temporary period the applicant may be permitted to furnish cash security. The applicant shall abide by other conditions stipulated in order dated 26th June 2018.

2. From the order granting bail to the applicant it is apparent that the applicant was directed to be released on bail on furnishing surety in the sum of Rs.25,000/- with one or two solvent sureties in the like amount by order dated 26th June 2018. In spite of the order of bail the applicant has been continued to be in custody almost for a period of about four months. In the circumstances, the order dated 26th June 2018 passed by learned Additional Sessions Judge for Greater Mumbai in Bail Application No.1071 of 2018, is modified to the extent that the applicant be permitted to furnish cash security in the sum of Rs.25,000/- for a period six weeks. Criminal Application No.637 of 2018 is disposed off.

(PRAKASH D. NAIK, J.)

MST