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

CRIMINAL APPLICATION NO. 99 OF 2019

Prem Singh Namdev Jadhav

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. S.M. Jain I/b S.M. Jain & Associates for the Applicant.

Ms. J.S. Lohokare, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 14th March 2019.

P.C.:

1] This is an application for modification of Order dated 13th July 2018 passed by the Additional Sessions Judge Vasai in ABA No.400 of 2018. By the said Order, the applicant was granted pre-arrest bail by imposing a condition that, the applicant shall not leave jurisdiction of Mumbai and Thane without permission of Investigating Officer.

2] The learned Counsel for the applicant submitted that, the applicant is working as a Assistant Commissioner in Vasai-Virar Municipal Corporation. That no overt-act is attributed to the applicant in the present crime. He submitted that, the entire complaint proceeds on acts committed by co-accused Uday Jadhav and Dhanjay Gawde and the applicant has no

role to play in the crime.

He submitted that, taking into consideration the said aspect, the Sessions Court granted anticipatory bail to the applicant. He submitted that it is difficult for the applicant to perform his lawful duties due to said onerous condition. He therefore prayed that the said condition may be suitably modified.

The learned APP submitted that, appropriate orders may be passed in the interest of justice.

3] In view of the above and in the interest of justice, the condition namely applicant shall not leave jurisdiction of Mumbai and Thane without permission of Investigating Officer imposed upon by the learned Additional Sessions Judge, Vasai in ABA No.400 of 2018 is hereby waived with immediate effect.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)