

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.102 OF 2019

1. Tarique Mukhtar Khan	
2. Mohammed Athar Dilnawaz	Applicants
versus	
The State of Maharashtra	Respondent

Mr.M..Chaudhary I/by Sumaira Legal for applicants.
Mrs.G.P.Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 8th March 2019

PC :

1. This is an application for modification of order dated 15th January 2019 passed by Sessions Court while granting bail to the applicants in Bail Application No.47 of 2019.

2. The applicants were directed to be released on bail on furnishing PR bond in the sum of Rs.15,000/- and one surety of like amount each. The investigating officer was directed to verify the residential address of both the applicants and furnish the report accordingly.

3. Learned advocate for applicants submits that the applicants have indeed furnished the documents relating to sureties, however, for want of verification report, the applicants are continued to be in custody. The applicants thereafter preferred an application before the Sessions Court seeking modification of the order and praying that the applicants be released on provisional cash bail. The said

application was rejected by order dated 13th February 2019. Hence, the applicants have preferred present application.

4. It is noted that the applicants were granted bail on 15th January 2019 and in spite of that they are continued to be in custody. The offences were registered under Sections 353, 279, 323, 506 r/w 34 of Indian Penal Code. Considering the factual aspects of the matter, the relief sought in this application can be granted.

5. In the circumstances, the order dated 15th January 2019 passed in Criminal Bail Application No.47 of 2019 by Additional Sessions Judge, Mumbai is modified by permitting the applicants to furnish cash security in the sum of Rs.15,000/- for a period of four weeks. The application is disposed off. The investigating officer shall expedite verification with regards to the residential addresses of applicants as stipulated in order dated 15th January 2019.

(PRAKASH D. NAIK, J.)

MST