

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

CRIMINAL APPLICATION NO. 103 OF 2019

Javed Jamil Ahmed	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

- Ms.Meghna Gowhani i/b. Mr.A.N. Pathan for the Applicant.
- Mr.A.R. Kapadnis, APP for the Respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 6th MARCH, 2019.

P.C. :

- 1] Not on board. Taken on board.
- 2] This is an application seeking provisional cash bail. The Applicant was arrested on 21st July, 2018. He preferred an application for bail before the Sessions Court, which was allowed by order dated 24th September, 2018 on condition that the Applicant to execute personal bond of Rs.25,000/- with a surety in the like amount. The Applicant could not execute the surety bond. Hence, he preferred an application for modification of the aforesaid order before the Sessions Court and prayed that the

Applicant be released on permanent or provisional cash bail. The said application was rejected on 15th November, 2018.

3] Learned counsel for the Applicant submitted that the Applicant being in custody is not in a position to make arrangement for furnishing surety. The Applicant is the only earning member of the family. In spite of order granting bail was passed on 24th September, 2018 the Applicant could not avail of the bail facility. It is therefore, prayed that the bail cash facility be granted to the Applicant.

4] It is, therefore, submitted that the Applicant is in custody from 21st July, 2018 and in spite of grant of bail, he is continued to be in custody for not furnishing surety.

5] In the circumstances, I pass the following order.

- (i) The order dated 24th September, 2018 passed by the Sessions Court at Dindoshi in Bail Application No. 784 of 2018 is modified to the extent that the Applicant is permitted to furnish cash security in the sum of Rs.15,000/- for a period of eight weeks to enable the Applicant to furnish surety in accordance with order dated 24th September, 2018.
- (ii) The Application stands disposed of.

[PRAKASH D. NAIK, J.]