

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

**CRIMINAL APPLICATION NO. 366 OF 2019
(For modification)**

IN

Cri. BAIL APPLICATION NO. 1230 OF 2018

Akashkumar @ Raju Suryabali Yadav ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mrs. Pooja Sejpal, Advocate, I/by Nitin Sejpal for the Applicant.

Mrs. G. P. Mulekar, APP for the State.

CORAM : PRAKASH D. NAIK, J.

DATE : MARCH 07, 2019.

PC :

1 Not on board. Mentioned. Taken on production board.

2 This is an application for modification of the order dated 10th September, 2018 passed by this court in criminal bail application no. 1230 of 2018. The applicant was directed to be released on bail with the condition that he shall execute PR bond in the sum of Rs. 25,000/- with one or more local solvent sureties in the like amount.

3 Learned Advocate appearing for the applicant submits that although the applicant was directed to be

released on bail by order dated 10.09.2018, he is continued to remain in custody as he is not in a position to furnish local solvent surety. It is prayed that the condition of furnishing local solvent surety may be relaxed. It is also submitted that the bail amount may be reduced to Rs. 10,000/-. Learned Advocate further submitted that to enable the applicant to arrange for surety, provisional cash bail facility may be granted to the applicant.

4 The condition of furnishing local solvent sureties was imposed considering the fact that the applicant is involved in an offence registered under sections 395 and 397 of Indian Penal Code and that he is the native of Jaunpur in Uttar Pradesh. Thus, the said condition cannot be relaxed. However, considering the fact that the applicant is in custody from 16th November, 2016, to enable the applicant to arrange surety for a temporary period, the applicant can be permitted to furnish provisional cash security. The applicant is in custody although bail was granted vide order dated 10.09.2018.. He was arrested on 26.11.2016.

5 Hence, the applicant is permitted to furnish cash security in the sum of Rs.25,000/- for a period of eight weeks.

6 Application stands disposed of.

(PRAKASH D. NAIK, J.)