

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.494 OF 2019
IN
CRIMINAL APPLICATION NO.807 OF 2016

Santosh Thorat	Applicant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPEAL NO.682 OF 2014

Dnyaneshwar Balu Patole	Appellant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPEAL NO.683 OF 2014
IN
CRIMINAL APPLICATION NO.1027 OF 2016

Yallappa Pundappa Ahiwale	Appellant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPEAL NO.791 OF 2014

Raghuvendra @ Nangendra Hanumanta Naik	Appellant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPEAL NO.792 OF 2014
AND
CRIMINAL APPLICATION NO.240 OF 2019

Babu Appa Durai	Appellant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPEAL NO.796 OF 2014

Rahim Ismail Sheikh
versus
The State of Maharashtra

Appellant

Respondent

Mr,.Sumit Kate I/by Uday Warunjikar for applicant-
appellantMr.J.P.Yagnik, APP, for State.

CORAM : B.P.DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.

DATE : 22nd April 2019

PC :

1. The applicant in Criminal Application No.494 of 2019 seeks certain alterations in bail conditions. According to him he should be permitted to enter and stay in Pune District and also permit him to mark his attendance at Dehu Road Police Station in Haveli Taluka of Pune District. Learned APP has submitted that the applicant has been released on interim bail as he has put in more than ten years in jail. He further submits that because of this position he has been restrained from entering Pune District as offence took place there and witnesses are residing in that area. In reply, learned counsel for applicant relies upon averments in paragraphs 4,6 and 7 of the application.

2. The correctness or otherwise of the condition with regards to the entry of applicant in Pune District, cannot be looked into by us in this jurisdiction. Similarly, the direction to mark attendance and to furnish residential address, are issued with a particular aim and it's correctness again cannot be examined by us.

3. The applicant in present application points out that his wife has delivered a child and his source of income is located within Pune District only. He has a scrap shop in Pune city and wants to bridge upon it to earn livelihood.

4. Birth of a child in family or desire to have means of livelihood cannot be seen as relevant circumstances. The applicant was always aware of the conditions imposed for his release on bail. The request, therefore, cannot be granted. Hence, Criminal Application No.494 of 2019 is rejected.

(PRAKASH D. NAIK, J.)

(B.P.DHARMADHIKARI, J.)

MST