

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 571 OF 2019****IN****BAIL APPLICATION NO. 1052 OF 2018**

Mohd. Abrar Shadruddin Ahmed

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Sushil Inamdar for the Applicant.

Mr. S.S. Hulke APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 25th APRIL, 2019.****P.C.:-**

This is an Application for relaxation of condition No. (a) imposed upon the Applicant by this Court while releasing him on bail by its Order dated 13th August, 2018. The said condition reads as under:-

“a) *The Applicant be released on bail in CR No. 548 of 2017 registered with Bandra Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.*”

2 The learned counsel for the Applicant submitted that the Applicant is ordinary resident of District Saharsa, State of Bihar and

has no relatives in the State of Maharashtra and there is nobody for him to stand as surety. That, despite there being an Order of bail in his favour, he still languishing in Jail.

3 The learned counsel for the Applicant produced on record the photo copy of the documents indicating that, the Applicant is the owner of piece of the land in the State of Bihar. He submitted that, in view thereof, a charge may be created on the said property of the Applicant and the Applicant may be released on bail.

4 In view thereof, the Applicant is permitted to furnish documents of his landed property before the Sessions Court to confirm that he is holding a landed property.

The learned Additional Sessions Judge, is hereby directed to verify the genuineness of the said documents through the concerned Investigating Agency and after the concerned Investigating Agency submits a positive report, release the Applicant on cash bail of Rs.25,000/-. This be done within a period of three weeks from the date of uploading of the present Order on the Computer system of this Court.

It is to be noted here that, during the pendency of the trial of the present crime, the Applicant shall not transfer and/or create

any third party right, title and interest in the said landed property situated in District Saharsa, State of Bihar.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)