

Shailaja

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

CRIMINAL APPLICATION NO.325 OF 2019

Jinen Chandrakant Ghelani & Anr.	]	Applicants
Versus		
The State of Maharashtra	]	Respondent

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Mr. Onkar Chandukar i/b Akshay Vijay Kamble, for the Applicants.
Mr. S.S. Hulke, A.P.P. for the State.
Mr. Shriram Vitthal Palve, P.S.I, Amboli Police Station, Jogeshwari (West),
Mumbai.

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CORAM : REVATI MOHITE DERE, J.

DATE : 27th SEPTEMBER, 2019.

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks the following prayers;
(b) That this Hon'ble Court may be pleased to modify/relax the conditions put in the Bail order dated 17/06/2019 and accept the two (2) non-local solvent sureties instead of local sureties.

(c) That this Hon'ble Court may be pleased to modify/relax the conditions put in the Bail order dated 17/06/2019 instead of attending the police station on every first Sunday of every month between 10.30 a.m. to 2.30 p.m till conclusion of trial the Police to attend the police station as and when called for;

3. Learned Counsel for the applicant, at the outset, does not press for prayer clause (c) and seeks liberty to file an appropriate application before the learned Additional Sessions Judge, who was pleased to impose the said condition vide order dated 8th June, 2018, whilst granting pre-arrest bail to the applicants. Hence, the said prayer is not considered. However, liberty is granted to the applicant to file an appropriate application before the learned Additional Sessions Judge for modification of the said condition.

4. As far as prayer clause (b) is concerned, the learned Counsel for the applicants states that the applicants are residents of Gujarat and as such, they are finding it extremely difficult to get any local surety, as directed by the learned Additional Sessions Judge vide a order dated 8th June, 2018 passed in A.B.A No.640 of 2018.

5. For the reasons set out in the application, the said condition i.e. clause (2) of the order dated 8th June, 2018 passed by the Additional Sessions Judge, Dindoshi in A.B.A No.640 of 2018 is modified.

6. The applicants shall now be released on anticipatory bail on their executing PB and SB of Rs.50,000/- with one or two solvent surety/surieties each.

7. The application is accordingly disposed of with the aforesaid condition. Rest of the conditions imposed by the learned Additional Sessions Judge vide order dated 8th June, 2018 be remain as it is.

8. All concerned to act on the authenticated copy of this order.

[REVATI MOHITE DERE, J.]