

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 1648 OF 2018****IN****CRIMINAL APPLICATION NO. 1115 OF 2017**

Riyaz Ahmad Hussain Shaikh @ BhaijiApplicant

Vs.

The State of MaharashtraRespondent.

Mr. Vaibhav S. Kulkarni I/by Mr. Nitin Sejpal for the Applicant.
Ms. P.P. Shinde, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th FEBRUARY, 2019.

P.C.:-

This is an Application for modification of condition imposed upon the Applicant by this Court by its Order dated 16th March, 2018, while releasing him on bail.

By the said condition, the Applicant has been directed to furnish P.R. bond of Rs.50,000/- with one or two solvent local sureties in the like amount.

2 The learned counsel appearing for the Applicant submitted that, the Applicant hails from lower economic strata of the Society and therefore, it is very difficult for him to furnish solvent local sureties in

the amount of Rs.50,000/-. He, therefore, prays that the said condition may suitably be modified.

3 The record clearly indicates that though an Order granting bail to the Applicant was passed on 16th March, 2018, due to the said condition, the Applicant is still languishing in Jail. The learned APP fairly submitted that, as of today, the Applicant has undergone actual imprisonment for 7 years and 4 months out of 10 years of sentence imposed upon him.

In view thereof, I am inclined to modify the said condition.

4 Condition No. (a) imposed upon the Applicant by an Order dated 16th March, 2018 is hereby modified and the Applicant is permitted to furnish one or more local sureties to make up the amount of Rs.25,000/-. It is made clear that the said sureties need not be solvent sureties to make up the said amount and the Applicant is at liberty to furnish any number of sureties in making out the said amount of Rs.25,000/-.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)