

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO. 170 OF 2019

Shivaji Sainu Gota and anr.

..VS..

State of Maharashtra, Thru. P.S.O. Etapalli, Tq. Etapalli, Distt. Gadchiroli.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Suyash Agrawal, Adv. H/f S.V. Sirpurkar, Advocate for
applicants.

Mrs. A.R. Kulkarni, Asstt. Government Pleader for respondent.

CORAM : A.S. CHANDURKAR,J.

DATED : 19TH JULY, 2019.

By this application, it is prayed that the condition imposed on 16.11.2017 while enlarging the applicants on bail of not entering the limits of Etapalli, Tah. Etapalli, be relaxed. In paragraph 4 of the application, that it has been stated that the family of the applicant No. 1 is dependent upon him for livelihood and due to that condition the family members are facing hardship. In paragraph 5 of the application, similar averments are made as regards the applicant No. 2.

2. Reply has been filed by the non-applicant opposing the prayer as made. It is stated that there is every livelihood of the applicants tampering with the material on record or coercing the witnesses concerned.

3. The conditions imposed by this Court while

enlarging the applicants on bail on 16.11.2017 have been operating for period of more than 1½ year. In the affidavit filed on behalf of the non-applicant, there is no complaint as regards misusing that liberty. However, considering the nature of allegations and the crime registered, for the present, applicants are permitted to enter the limits of Etapalli, Tah. Etapalli, once a week on every Sunday. On entering the limits of Etapalli, Tah. Etapalli they shall report to the Etapalli Police Station and by the end of the day shall leave the area. The other conditions imposed by the order dated 16.11.2017 shall continue to operate. The applicants are at liberty to seek further relaxation dependent upon the facts of the case.

4. The application is allowed in aforesaid terms.

JUDGE

Prity G.