

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

CRIMINAL APPLICATION (APPP) NO.723 OF 2020

IN

CRIMINAL APPLICATION (BA) NO.822 OF 2019

(Mayur s/o Ganeshlal Ahir Vs. The State of Maharashtra thr. PSO PS Civil Lines,
Akola)

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

Court's or Judge's orders.

Shri Ved Deshpande, Advocate for Applicant.
Shri C.A. Lokhande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 18th SEPTEMBER, 2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2] Heard.

3] This application is taken out for relaxation of conditions four in order dated 27.09.2019.

4] While granting bail, this Court directed the applicant not to enter the territorial jurisdiction of Akola Municipal Corporation during the pendency of the trial.

5] The first ground in support of the application is that the applicant is suffering from chest pain and is referred to Ozone Hospital, Akola. The reason put-forth is untenable. There are several cities which have better facilities than Akola and the applicant is free to avail

medical treatment either in Nagpur or Amravati. The next reason put-forth is that the father of the applicant is paralyzed and that the applicant is not in a position to meet him and take care of his deteriorating health. The State has filed an affidavit pointing out that the father of the applicant stay in joint family along with his three sons who are all elder to the applicant. The three elder brothers of the applicant and their family would take proper care of the applicant's father. The other submission is that the applicant is blessed with a daughter and he is not in a position to enjoy the company of his wife and his daughter. The applicant is at liberty to ensure that his wife and daughter stay with him, where-ever the applicant chooses to stay, provided he does not enter the territorial limits of Akola.

6] Moreover, the learned APP Shri Lokhande points out that Barshitakli where the applicant is presently residing is hardly 30 Km. from Akola.

7] No case is made out for relaxation of the condition for grant of bail, which condition is imposed with a certain purpose that is to ensure that the applicant does not influence the course of trial.

8] The application is rejected.

JUDGE