

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL INTERIM APPLICATION NO. 285 OF 2021****IN****BAIL APPLICATION NO. 2825 OF 2019**

Parmeshwar Trimukti Yadav

... Applicant.

Vs.

The State of Maharashtra

... Respondent.

Mr. Anand Mishra i/b. Mr. Ashok Saraogi for the Applicant.

Mr. Amit Palkar, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.**DATE : 2ND FEBRUARY 2021.****P.C. :**

This is an Application for modification of condition No.(i) imposed upon the applicant in Clause No. 5(i) of Order dated 9th December 2020 granting bail to the Applicant. Clause No.5(i) reads as under :-

(i) The applicant be released on bail in C.R. No.496 of 2017 dated 18th November 2017 under Section 376(2)(l) of the Indian Penal Code registered with Kurar Police Station, Mumbai on his furnishing P.R. bond of Rs.25,000/- with one or more local sureties in the like amount.

2. Learned counsel appearing for the applicant submitted that, as the applicant is behind the bar, he is unable to furnish sureties. He further

submitted that, even close relatives of the applicant are unable to get local sureties to make up the bail amount. Therefore, even though an Order of bail is granted in favour of the applicant, by this Court, he could not come out of the jail till today.

3. In view of the above and for the reasons stated in the Application, I am inclined to modify the said condition and release the applicant on cash bail of Rs.50,000/-.

Hence Clause No. 5(i) of Order dated 9th December 2020 is modified as under:-

- (i) The applicant be released on bail in C.R. No.496 of 2017 dated 18th November 2017 under Section 376(2)(l) of the Indian Penal Code registered with Kurar Police Station, Mumbai on his furnishing cash bail of Rs.50,000/-. The procedure for submitting cash bail be completed before Trial Court.

4. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)