

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

**CRIMINAL APPLICATION NO. 27 OF 2021**

|                      |                |
|----------------------|----------------|
| Yasin Ajij Mulla     | ... Applicant  |
| Versus               |                |
| State of Maharashtra | ... Respondent |

-----

Mr. Pratik B. Rahade i/b. Pramod N. Joshi for Applicant.  
Smt. A. A. Takalkar, APP for State/Respondent.  
Mr. B. R. Nirbhavane, P. N., Satana Police Station, Nashik present.

-----

**CORAM :- SARANG V. KOTWAL, J.**  
**DATE :- 22<sup>nd</sup> JANUARY, 2021**

**P. C. :-**

1. This is an application for modification of the conditions imposed by the learned Additional Sessions Judge, Malegaon, in his order dated 06/01/2021 passed in Criminal Bail Application No.09 of 2021. By one of the conditions, the applicant was directed to deposit the amount of Rs.1,60,000/- in the court as a condition precedent.
2. The learned counsel for the applicant submitted that, this condition is too onerous and he is unable to comply with this condition. He, therefore, submitted that, it is practically an ineffective order, so far as, he is concerned.

3. The learned counsel for the applicant was asked as to whether he had moved any application before the same learned Judge for relaxation of that condition. The learned counsel for the applicant answered that, no such application was made.

4. In this view of the matter, the learned APP objected for entertaining this application directly before this court. The learned counsel for the applicant prays for withdrawal of this application with liberty to approach the same learned Judge for relaxation of that condition.

5. Considering these submissions, in my view, it would be better if the applicant approaches the same learned Judge and seeks modification of this condition pointing out his genuine difficulty.

6. The applicant is permitted to withdraw this application with liberty to approach the same court for relaxation of the condition imposed while granting bail.

7. If such application is preferred by the applicant, it shall be decided by the said court as expeditiously as possible.

8. The application is disposed of accordingly.

**(SARANG V. KOTWAL, J.)**