

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 814 OF 2021
IN
CRIMINAL APPEAL NO. 1052 OF 2019**

Shantiprasad Veniprasad Yadav	...Applicant
Versus	
State of Maharashtra	...Respondent

Mr. Prashant Gurav for the Applicant.

Mr. P.H.Gaikwad, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 5TH MARCH, 2021

P.C. :

1. By this application, the applicant seeks the following substantive prayers :

(ii) The condition of furnishing surety/sureties be relaxed and that cash security deposited in the Learned Sessions Court towards provisional cash bail be accepted in lieu of surety till disposal of present appeal.

ALTERNATIVELY

(ii) The time to furnish surety be extended by further 8 weeks on any terms and conditions as this Hon'ble Court

may deem fit and proper.

2. Learned Counsel for the applicant does not press the first substantive prayer clause. However, presses for the alternate prayer sub-clause (ii).

3. This Court (**Coram : Prakash D.Naik, J**) vide order dated 25/09/2020, suspended the applicant's sentence and enlarged him on bail on certain conditions. As per clause (ii) of the said order, the sentence of imprisonment awarded to the applicant was suspended during the pendency of his appeal and he was directed to be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount. As per clause (v) of the said order, the applicant was directed to be released on provisional cash bail of Rs.25,000/- and he was directed to furnish surety within 8 weeks from the date of his release.

4. It appears that as the applicant could not comply with clause (v) i.e. could not furnish surety within 8 weeks, the applicant sought extension of time to furnish surety and to extend the facility of cash bail granted by the Court vide order dated 25/09/2020. Accordingly, vide order dated 07/01/2021, this Court (**Coram : Prakash D.Naik, J**) extended the

facility of cash bail by 8 weeks, in order to enable the applicant to comply with the direction of furnishing surety.

5. Today, learned Counsel for the applicant submits that the applicant was unable to furnish surety even within the said extended period and as such, by way of last chance, seeks extension of time to furnish surety as directed by this Court vide order dated 25/09/2020.

6. Accordingly, for the reasons stated in the application, the application is allowed and the facility of cash bail is extended by a period of 8 weeks from today, so as to enable the applicant to furnish the surety as directed by this Court vide order dated 25/09/2020.

7. Application is accordingly, disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.