

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Application (APPLN) No. 167 / 2021

Shivaji Chindha Suryawanshi .. Applicant

Versus.

The State of Maharashtra .. Respondent

Ms. Farhana Shah, Advocate for the Applicant.

Mr. A.R. Patil, APP for State.

CORAM : SANDEEP K. SHINDE J.

DATE : 20th OCTOBER, 2021.

P.C. : -

Heard.

1. Learned Additional Sessions Judge, Malegaon refused to relax the Condition No. (iii), imposed while releasing him on bail in Crime No. 633/2020. Condition No. (iii) reads as under;

"Applicant shall not enter within the jurisdiction of Satana Tahasil area for next one year."

. Feeling aggrieved by the order, this application under Section 482 of the Code of Criminal Procedure, 1973, is preferred.

2. Learned Counsel for the Applicant has relied on the orders passed by this Court in Criminal Application No.144/2021 and another in Criminal M.A. No.34/2021 dated 14th July, 2021 passed by the Additional Sessions Judge, Malegaon, by which the Applicants therein, being co-accused, the Condition No.(iii) has been relaxed.

3. Applicant is agriculturist. His fields are within the limits of Satana Tahasil. If condition is not relaxed, he may suffer hardship. Even otherwise, he has attended the Police Station as directed vide Condition (v). In consideration of the above stated facts and in absence of instructions contrary thereto, I am inclined to grant application and hence the following order.

O R D E R

- (i) The Applicant is permitted to enter Satana Tahasil, District Nashik.
- (ii) The Applicant is directed to attend Satana Police Station every Sunday between 11:00 a.m. to 01:00 p.m. to mark his presence for a period of one year from today.
- (iii) Rest of the conditions mentioned in the order dated 12.01.2021 passed by Additional Sessions Judge, Malegaon are retained as they are.
4. The Application is allowed in the aforesaid terms and disposed of accordingly.

(SANDEEP K. SHINDE, J.)

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by MOHAMMAD
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