

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

CRIMINAL APPLICATION NO.155 OF 2021

Sadik Zubair Khan	... Applicant
Versus	
State of Maharashtra	... Respondent

Mr. Ali Bubere, Advocate for the Applicant.
Mr. A.A. Palkar, APP for Respondent-State.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 16th JULY, 2021
[Through Video Conferencing]

P. C. :-

1. The Applicant is seeking modification of the order dated 22.6.2021 passed by the Additional Sessions Judge-3, Thane in Criminal Bail Application No.1611/2021.

2. The applicant was granted bail in connection with C.R. No.I-643/2020 registered at Shantinagar police station under Section 307 read with 34 of Indian Penal Code, Sections 3 and 25 of the Arms Act and Sections 37(1) & 35 of the Maharashtra Police Act.

3. By a reasoned order, the applicant was granted bail by the learned Judge. He had also observed that the applicant is in custody for about seven months. However, while granting bail the applicant was directed to be enlarged on PR bond of Rs.50,000/- with one or two solvent sureties.

4. Learned Counsel for the applicant submits that furnishing sureties of Rs.50,000/- is beyond the applicant's means as he is a rickshaw mechanic. He has family of five minor daughters, his wife and old parents. He also submitted that at the time of passing of the order oral submissions were made for lesser amount of bail and sureties. However, the bail was granted on the condition of furnishing a PR bond of Rs.50,000/- with one or two solvent sureties.

5. The difficulty of the applicant appears to be genuine, particularly when he has such a large family to support and the work is affected because of spread of pandemic. Therefore, I am inclined to modify that order by reducing the amount of surety and also relaxing the condition of furnishing 'solvent' sureties.

6. Hence, the following order.

ORDER

- (i) The order dated 22.6.2021 passed by Additional Sessions Judge-3, Thane in Criminal Bail Application No.1611/2021 before him is modified.
- (ii) The applicant be enlarged on furnishing a PR bond of Rs.30,000/- (Rupees Thirty Thousand Only) with one or more sureties in the like amount in connection with C.R. No.I-643/2017 of Shantinagar police station.
- (iii) Rest of the conditions mentioned in that order in clauses 2(a) to 2(g) are retained as they are.
- (iv) With these directions, the application is disposed of.

(SARANG V. KOTWAL, J.)