

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

**INTERIM APPLICATION NO. 1768 OF 2021
IN
INTERIM APPLICATION NO. 1252 OF 2020
IN
CRIMINAL APPEAL NO. 409 OF 2020**

Amar Krishna Ghosh ... Applicant

Versus

CBI ACB Mumbai And Anr. ... Respondents

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Ms. Yogini Abhay Ugale, Advocate for the Applicant.

Mr. Hiten Venegaonkar, For CBI- Respondent No.1.

Mr. Y. M. Nakhwa, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th JULY, 2021

PER COURT:

1. This is an application for modification of order dated 14th July, 2020 passed by this Court in LD/VC/OCR/154 of 2020 in LD/VC/OCR/155 of 2020.

2. The sentence of imprisonment was suspended and the applicant was directed to be released on bail. One of the condition stipulated in the said order was that the applicant shall report trial Court once in four months on the day/date specified by the trial Court till his appeal is finally disposed of.

3. Learned counsel for the applicant submitted that the

applicant had reported the trial Court on the last occasion on 30th January, 2021 and next date of appearance is 29th July, 2021. The applicant is senior citizen aged about 74 years. He is the resident of Bangalore. On account of ill health and pandemic situation, the applicant is not in a position to attend the trial Court as directed by this Court.

4. Learned counsel for Respondent No.1 - Mr. Venegaonkar submitted that for some period relaxation may be granted to the applicant, considering his age and current pandemic situation.

5. In view of the aforesaid circumstances, I pass the following order :-

ORDER

- (i) Order dated 14th July, 2020 passed by this Court is modified by exempting the applicant from appearing before the trial Court as stipulated in clause – (iii) of the operative part of the order dated 14th July, 2020 for a period of one year;
- (ii) The condition of reporting shall revive after expiry of one year.
- (iii) Interim Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)