

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

**INTERIM APPLICATION NO.2013 OF 2021
IN
INTERIM APPLICATION NO.248 OF 2020
IN
CRIMINAL APPEAL NO.80 OF 2020**

Akshay Rangrao Patil .. Applicant/ Appellant
Versus
State of Maharashtra and Anr. .. Respondent

Ms.Swati Khot, Advocate for the Applicant/Appellant.

Mr.S.R. Agarkar, APP for the Respondent No.1-State.

Ms.Reema Machhya i/b. Mr.Amit A. Gharte, Advocate for Respondent No.2.

CORAM : PRAKASH D. NAIK, J.

DATED : AUGUST 31, 2021.

P.C. :

The applicant had preferred an application for suspension of sentence which was allowed by order dated 4th August, 2021 passed in Interim Application No.248 of 2020. The applicant was directed to be released on executing P.R.Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount.

2 This application has been preferred for modification of the order dated 4th August, 2021. It is submitted that the

applicant may be released on provisional cash bail of Rs.25,000/-, for a period of six months. The mother of the applicant who stood as surety during the trial cannot continue since she is retired from Government service, and, that her house has been mortgaged to the bank.

3 Learned APP submitted that the prayer for cash bail for six months may not be granted.

4 The applicant has been granted bail by suspending sentence, vide order dated 4th August, 2021, and, he has continued to be in custody for want of surety. Hence, for temporary period cash bail facility can be granted to the applicant. In this circumstances, I pass the following order:

:: ORDER ::

- (i) Interim Application No.2013 of 2021, is allowed;
- (ii) Order dated 4th August, 2021, passed in Interim Application No.248 of 2020, is modified by permitting the applicant to furnish provisional cash bail in the sum of Rs.25,000/-, for a period

of three months to enable the applicant to furnish surety in accordance with order dated 4th August, 2021;

- (iii) Interim Application No.2013 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)