

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

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Criminal Application (APL) No. 809 / 2021

Aslam Hatam Shaikh and Anr. .. Applicants

Versus.

The State of Maharashtra .. Respondent

Mr. Chetan S. Damre, Advocate for the Applicants.

Mr. A.D. Khamkhedkar, APP for State.

CORAM : SANDEEP K. SHINDE J.

DATE : 15th NOVEMBER, 2021.

P.C. : -

Heard.

1. Applicants were directed to be released on bail in Crime No. 177/2021 registered with Manmad Railway Police Station subject to condition that they shall not enter in Nandgaon and Malegaon Tahasil area for next two year, except to attend the Court dates. Applicants moved an application seeking

modification/ relaxation of the said condition. The learned Additional Sessions Judge declined to relax it and therefore this application is preferred. It is argued that the Applicants are residents of Manmad and prohibiting their entry in Nandgaon and Malegaon Tahasil area for next two year is unreasable and harsh. It is argued that 'Manmad city' falls within the territorial limits of Nandgaon Tahasil and since Applicants have no other place to live except Manmad, this condition unless modified or relaxed would cause immense inconvenience. Be that as it may, impugned condition has been imposed by the learned Sessions Court, on the backdrop of criminal antecedents of the Applicants.

3. Be that as it may, in the circumstances, the length of period prohibiting Applicants to enter in Nandgaon and Malegaon Tahasil area for next two year' is scaled down to six months. Accordingly, order dated 26th July, 2021 stands modified.

4. Application is partly allowed in aforesaid terms and disposed of.

(SANDEEP K. SHINDE, J.)