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

**CRIMINAL INTERIM APPLICATION NO.2326 OF 2021
IN
CRIMINAL APPEAL NO.671 OF 2021**

Mohd. Sadique Mohd. Farookh ... Applicant

Vs.

National Investigation Agency & another ... Respondents

Mr.A.R. Bukhari for the Applicant/Appellant

Mr.Sandesh Patil with Mr.Chintan Shah for Respondent No.2 NIA

Ms.G.P. Mulekar, APP, Respondent – State

**CORAM: S.S. SHINDE &
SURENDRA P. TAVADE, JJ.**

DATED: OCTOBER 29, 2021

P.C.:

1. The applicant/appellant herein is convicted for the offences punishable under section 18, 20 and 38 of the Unlawful Activities (Prevention) Act, 1967 by the learned Special Judge (NIA), City Civil and Sessions Court for Greater Bombay in Sessions Case No.1010 of 2013 vide the impugned judgment and order dated 15th June, 2021 and directed him to undergo the sentence of 10 years. Admittedly, the applicant/appellant herein has undergone the sentence of more than 9 years.

2. In that view of the matter and as the appeal is not likely to be taken up for final hearing in near future, the application deserves to be allowed. Accordingly, the following order is passed:

ORDER

- i) The Criminal Interim application is allowed.
- ii) The impugned judgment and order dated 15th June, 2021 is suspended pending the hearing of the appeal.
- iii) The applicant/appellant, namely, Mohd. Sadique Mohd. Farookh, shall be released on bail on execution of a P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five thousand only) and after such release, the applicant/appellant shall furnish one solvent surety in the like amount of Rs.25,000/- within four weeks from the date of such release.
- (iv) The applicant/appellant shall, after his release, report at the concerned local police station in Nanded District, in whose jurisdiction the applicant/appellant is residing, on every Monday in between 11am to 1pm for three months and thereafter, twice in a month i.e., on first and third

Monday of every month, between 11am to 2pm, till Appeal No.671 of 2021 is decided.

(v) As the Appeal is pending, the applicant/appellant shall not leave the country without permission of this Court.

(vi) The passport of the Applicant/appellant, which is seized during the investigation, shall continue to remain in the custody of the respondent - National Investigation Agency.

3. The application stands allowed and disposed of in the above terms.

(SURENDRA P. TAVADE, J.)

(S.S. SHINDE, J.)