

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APL) NO.116 OF 2021

(Mrs. Sushma w/o Ganesh Kaikade and another Vs. State of Maharashtra thr. PSO PS
Bajaj Nagar, Nagpur and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. U.P. Dable, Advocate for Applicants.
Mr. N.R. Rode, APP for Non-Applicant 1/State.

CORAM: ROHIT B. DEO, J.

DATE: 27th JANUARY, 2021.

The applicants are aggrieved by two separate orders rendered by the Additional Sessions Judge-11, Nagpur in Miscellaneous Criminal Application 1841/2020 and Miscellaneous Criminal Application 2297/2020 whereby while granting bail the learned Sessions Judge has directed that Rs.5,00,000/- be deposited as cash security.

2. The limited submission of the learned counsel Mr. Dable is that the condition is onerous and that since the applicants are not in a position to deposit the said amount, the bail is virtually nullified.

3. Perusal of the orders reveal that the applicants are directed to furnish P.R. bond and to furnish surety of like amount, which conditions are reasonable and would suffice the purpose. The condition that Rs.5,00,000/- be

deposited as cash security, is indeed onerous, in the factual matrix.

4. I have not come across any special reason recorded by the learned Sessions Judge for imposing the third condition of deposit cash security.

5. The application is allowed and the orders of bail are partially modified to the extent that the condition of deposit of cash security of Rs.5,00,000/- is set aside.

6. The rest of the conditions are confirmed.

JUDGE