

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

CRIMINAL APPLICATION (APPP) NO. 182/2021 IN
CRIMINAL APPLICATION (BA) NO. 884/2019

Shoiabulla Khan Azharulla Khan Patel .vs. The State of Maharashtra through PSO
P.S. Akot Rural, Tq. Dist. Akola.

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

Court's or Judge's orders.

Mr. N. A. Gaikwad, Advocate for applicant.
Mrs. M. A. Barabdhe, A.P.P. for non applicant.

CORAM : V.M. DESHPANDE, J.
DATED : FEBRUARY 15, 2021

This is an application for relaxation of condition which was imposed by this Court on 03.10.2019 while granting bail in favour of the applicant.

Heard Mr. Gaikwad, learned counsel for applicant.

The applicant was arrested in connection with Crime No.234/2019 registered with Police Station, Akot Rural, Tq. Akot, Dist. Akola for an offence punishable under Sections 302, 307, 324, 425, 143, 147, 148, 149 and 294 of the Indian Penal Code.

On 03.10.2019, considering the material and the fact that the charge-sheet is already filed, this Court released the applicant on bail by imposing conditions. Condition no.3, that was imposed upon the applicant is as under:

“(iii) The applicant is directed not to enter territorial jurisdiction of village Mohala till culmination of the trial.”

Learned counsel for the applicant submits that the applicant is staying at Akot whereas his mother is at Mohala. She is aged one and also there is agricultural land of the applicant at village Mohala.

This Court was of the view that till culmination of the trial, the applicant shall not enter into the territorial jurisdiction of village Mohala whereat most of the prosecution witnesses reside.

No case is made out for relaxation of the condition. The application is, therefore, rejected.

JUDGE

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