

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

CRIMINAL APPLICATION [APPP] NO. 678/2021
IN CRIMINAL APPLICATION [BA] NO. 568/2020.

Sujeet Anirudha Jaiswal.

-VERSUS-

The State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.S. Manohar, Advocate for the Applicant.
Shri I.J. Damle, Advocate for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : JUNE 23, 2021.

Hearing was conducted through Video
Conferencing.

2. The applicant/accused is seeking modification in condition imposed by this Court vide order dated 16.10.2020, while releasing him on bail. The applicant is charged for committing murder by beating the deceased by means of fists blows and kicks. The matter was considered on merits before filing of the charge sheet and ultimately this Court expressed that this is a fit case for bail and accordingly

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passed an order on 16.10.2020. While imposing conditions for grant of bail, one of the condition imposed vide condition no. (iii) is "*The applicant shall not enter the territorial limits of Gondia District except to attend the dates of hearing in the trial Court.*"

3. The learned Counsel for the applicant would submit that the applicant has obeyed the condition and till date is staying out of Gondia i.e. at Nagpur. It is his contention that father of applicant is suffering from Cancer and is a patient of Kidney Transplant. There is no other person to take care of his father, hence, his presence at the residence at Gondia is necessary.

4. Having regard to the nature of accusation, it is not a case that the incident is an outcome of a group rivalry or deadly weapons are used. For a period of more than 6 months the applicant is away from his residence. In view of above facts and circumstances, the condition of restraining the applicant to enter into Gondia can be modified by asking him to have a periodical attendance so as to keep check on his activities. In view of that following

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order is passed.

(i) Criminal Application is partly allowed and disposed of.

(ii) Condition no.(iii) imposed by this Court vide its order dated 16.10.2020 and reproduced above, stands deleted and it be substituted by following condition - "The applicant shall attend the concerned police station on first Monday of each month between 10 a.m. to 12 noon till the conclusion of trial."

JUDGE

Rgd.