

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

CRIMINAL APPLICATION (APPP) NO. 1234 OF 2021
IN
CRIMINAL APPLICATION (ABA) NO. 393 OF 2017(D)

Niyazkhan Nazirkhan

..vs..

State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri S.S. Dhengale, Advocate for applicant.
Shri H.D. Dubey, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.
DATED : 03/08/2021

By this application, the applicant is seeking for relaxation of condition imposed by this Court while granting pre-arrest protection vide it's order dated 12.06.2017 in Criminal Application (ABA) no. 393 of 2017.

2. It is contended that the applicant is cancer survivor and due to financial difficulty, he is not able to meet the bail condition which is about to deposit of case security of Rs.1,00,000/-. It is informed that investigation is complete and charge-sheet has been filed.

3. This Court after considering the merits, has already came to the conclusion that the applicant is entitled for pre-arrest protection. While granting

protection, it was directed that in the event of arrest, the applicant shall be released on bail on furnishing cash security of Rs.1,00,000/- and one solvent surety in the like amount.

4. Having regard to the applicant's ailment and as the order is passed prior to three years, the condition can be modified, so that the applicant could meet the same in the event of arrest. In view of that, bail condition is modified and the applicant is directed to furnish P.R. bond of Rs.1,00,000/- and solvent surety in the like amount instead of cash security as ordered.

5. The Application stands disposed of accordingly.

JUDGE

Trupti