

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3731 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 1139 OF 2021

Avantika @ Avantikabai W/o Pralhad

Oname

.... Applicant

Versus

The State of Maharashtra

.... Respondent

.....
Mr. Shrikant G. Kawade, Advocate for the Applicant

Mr. V.S. Badakh, APP for the Respondent – State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th December, 2022

ORDER :

1. Heard the learned advocate for the applicant and the learned Additional Public Prosecutor for the respondent – State.

2. By this application, the applicant seeks relaxation of condition imposed on her while granting her anticipatory bail by order dated 23/12/2021 in anticipatory bail application No. 1139 of 2021.

3. Learned advocate for the applicant submits that the applicant who is the resident of village Dangewadi, and 65

years old lady has scrupulously followed the condition. Co-accused in the crime to whom major role is attributed, similar condition imposed on them is relaxed. She, therefore, seeks relaxation of condition No. (v) imposed on her that, she shall not enter within the limits of village Dangewade.

4. Learned advocate for the applicant placed his reliance on orders passed by this Court in criminal application No.1938 of 2022 and criminal application Nos. 3732 of 2022.

5. Learned Additional Public Prosecutor opposed the prayer of the applicant, stating that the conditions are relaxed in regular bail applications and not in anticipatory bail application.

6. Since similar condition imposed on co-accused is relaxed, the applicant deserves same relief, on the ground of parity.

7. The application is allowed. The condition imposed on applicant No.1 in anticipatory bail application No.1139 of 2021 that, "not to enter the village Dangewade" is hereby relaxed.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane