

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 579 OF 2022
IN
CRIMINAL BAIL APPLICATION NO. 3434 OF 2021**

Babu Razak Makhan Maniyar Applicant
Versus
The State of Maharashtra Respondent

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Mr. Dinesh D. Dey h/f. Amit Munde for Applicant.
Ms. Rutuja Ambekar, APP for State/Respondent.

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**CORAM : SARANG V. KOTWAL, J.
DATE : 24th FEBRUARY 2022**

P.C. :

1. This application is filed for modification of the conditions imposed while granting bail by this court (Coram: Nitin W. Sambre, J.) on 06/12/2021 in Criminal Bail Application No.3434 of 2021. The applicant was released on furnishing PR. bond in the sum of Rs.1,00,000/- with one or two local sureties in the like amount.

2. The present application is filed with various prayers for modification of this particular condition. The applicant has prayed for provisional cash bail for a period of 8 weeks by reducing the

amount from Rs.1,00,000/- to Rs.25000/- and to modify the condition of furnishing "one or two local sureties".

3. During the course of argument, learned counsel for the applicant submitted that the applicant is a poor person and he has only his wife in his family and she is not been able to find local sureties of that much amount. He submitted that, though he has made various prayers, he is making submission on instructions that the applicant is willing to furnish two or more sureties in the same amount, but from the Raigad District because the applicant is resident of Raigad district. These submissions appear to be reasonable.

4. Learned APP does not insist on local sureties.

5. I have considered these submissions. In my opinion, considering the reasons given for grant of bail, the applicant does have some substance in his case. At the same time, his difficulty also appears to be genuine because though order was passed on 06/12/2021, till today the applicant was not released on bail because of his inability to furnish local sureties. In this view of the matter, that particular condition can be modified. Therefore,

Clause (i) of the aforementioned order shall read thus:

“The applicant shall be released on bail on furnishing P.R. bond in the sum of Rs.1,00,000/- with two or more sureties in the like amount from the Raigad district.”

6. Rest of the conditions shall remain as they are in the aforesaid order.

7. With these directions the application is disposed of.

(SARANG V. KOTWAL, J.)