

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

INTERIM APPLICATION NO. 727 OF 2022

IN

BAIL APPLICATION NO. 1293 OF 2021

Taj Ahmed Sattar Ibji

.... Applicant

v/s.

The State of Maharashtra

.... Respondent

Ms. Asha Joshi i/b. Mr. Shubham Shaikh for the Applicant.

Ms. S.S. Kaushik, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 27th APRIL, 2022.

P. C. :-

. By this Application, the Applicant has sought relaxation of condition no.6(iii) in order dated 16/11/2021 passed in Criminal Bail Application No.1293 of 2021

2. Heard Ms. Asha Joshi, learned counsel for the Applicant and Ms. S.S. Kaushik, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. By order dated 16/11/2021, the Applicant was released on bail in C.R.No.948/2020 registered with Andheri Police Station for offences punishable under sections 436 r/w. 34 of the Indian Penal Code. This Court has observed that apart from the statement of the complainant,

there is no material on record to infer that the Applicant was present at the time of the incident and that even the statement of the complainant that he had seen the Applicant at the time of commission of the offence, does not repose faith. Hence, this Court had granted bail to the Applicant.

4. One of the condition of the bail order is that the Applicant shall remain outside the jurisdiction of concerned police station till charge is framed. Learned counsel for the Applicant states that the Applicant is an auto rickshaw driver. It is difficult for him to arrange another accommodation due to financial constraints. She further submits that the Applicant shall not interfere with the complainant, his family members or witnesses in any manner.

5. In view of the said statement and also considering the role attributed to the Applicant, condition no.6(iii) of order dated 16/11/2021 in Criminal Bail Application No.1293 of 2021 is relaxed. The Applicant shall not interfere with the complainant, the witnesses and shall not tamper with the evidence in any manner.

6. Application stands disposed of.

PREETI
H JAYANI

(SMT. ANUJA PRABHUDESSAI, J.)