

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 235 OF 2022

IN

BAIL APPLICATION NO.3276 OF 2019

Arif Shaffi Farooque

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Vinod Kashid with Mr. Anil Wagh for the Applicant.
Smt. Veera Shinde APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 17th MARCH, 2022.

PC.:-

This is an Application for modification of condition of bail in paragraph No.10(a) of Order dated 28th June, 2021. By the said Order, this Court has directed to release the Applicant on bail on certain conditions. The principal condition for release him on bail is that, the Applicant shall furnish PR Bond of Rs.50,000/- with one or two solvent local sureties in the like amount.

2 Learned Advocate appearing for the Applicant submitted that, despite putting in substantial efforts by the Applicant and his family members, the Applicant could not get '*local sureties*' to make up the bail amount and therefore he may be permitted to furnish sureties from the

State of Maharashtra instead of 'local sureties'.

3 It is a fact on record that, by an Order dated 28th June, 2021, the Applicant has been directed to be released on bail by this Court, however due to the said condition of furnishing 'local sureties', the Applicant could not avail the bail Order till today.

In view thereof, I am inclined to permit the Applicant to furnish 1 or 2 solvent sureties from the State of Maharashtra to make up the bail amount.

Paragraph No.10(a) of Order dated 28th June, 2021 is accordingly modified to that extent i.e. Applicant is permitted to furnish 'solvent sureties from the State of Maharashtra' instead of 'local sureties'.

4 Learned Judge of the concerned Court is directed to get verified all the documents of sureties from the police attached to Anti Robbery and Dacoity Cell, Crime Branch, Kurla, Mumbai to be furnished by the Applicant of his prospective sureties before his actual release from Jail.

5 Learned Trial Court is requested to expedite the process of verification of prospective sureties of the Applicant in view of the fact that, despite being Order of granting bail to Applicant, he is in Jail for last about 9 months.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)