

GRM

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

**CRIMINAL INTERIM APPLICATION NO. 4187 OF 2022
IN
CRIMINAL BAIL APPLICATION NO. 826 OF 2020**

KHADAR BASHA VALISAHEB SHAIKH ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Pranav P. More i/by Mr. Sujit Shelar, Adv. for the
applicant.

Ms. A. A. Takalkar, APP for the Respondent-State.

Mr. Gaonkar, PSI attached to Amboli Police Station.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 9, 2022.

P.C. :

1. This is an application for modification of the condition of bail imposed by this Court while releasing the applicant on bail vide order dated 31st January, 2022 passed in Criminal Bail Application No. 826 of 2020.

2. It is submitted that the applicant is from Hyderabad and he is not in a position to furnish local surety for the offence punishable under Sections 420, 406 & 120(B) read with 34 of the Indian Penal Code, 1860.

3. It is further submitted that this Court has granted bail

to the applicant. This Court while granting bail on 31st January, 2022, directed that the applicant be released on bail on his furnishing PR Bond in the sum of Rs. 50,000/- with one or two local sureties in the like amount. From 31/01/2022, almost for a period of one year, the applicant has not been able to avail bail because he is not in a position to furnish local surety.

4. The application has been opposed by the learned APP for the State.

5. Considering the reasons mentioned in the application and also considering that the applicant almost for a period of one year has not been able to avail bail, which was granted to him, the condition imposed in clause (i) vide operative order of the order dated 31st January, 2022, is modified and the same shall read as under :-

“(i) In connection with C.R. No. 223 of 2018 registered at Amboli Police Station, Mumbai, the applicant is directed to be released on bail on his furnishing PR Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two sureties in the like amount.”

6. In addition to this condition, the applicant shall be released on furnishing cash bail of Rs. 50,000/- (Rupees Fifty Thousand Only) in lieu of sureties for a period of six (6)

weeks from today.

7. The prosecution shall be at liberty to seek cancellation of the applicant's bail, if there is breach of any of the aforesaid conditions.

8. Criminal Interim Application No. 4187 of 2022 is allowed in the aforesaid terms and disposed of accordingly.

(M. S. KARNIK, J.)