

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Criminal Application (APPP) No. 2006 of 2021

in

Anticipatory Bail Application No. 857 of 2019

Nikunj S/o Ramakant Harlalka and others

Versus

**State of Maharashtra, through Police Station Officer,
Police Station Shegaon City, Dist. Buldhana**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri P.J.Mehta, Advocate for the applicant.

Shri S.D.Sirpurkar, Advocate for the non-applicant/
State.

**CORAM : ANIL S. KILOR, J.
DATED : 3rd MARCH, 2022.**

This is an application for modification of order dated 21st January, 2021 in respect of clause (iv) which read thus “The applicants shall not leave the Court and surrender their passport to the concerned police station”.

2. It is submitted that the applicants want to spend few days with their relatives who are staying aboard and for that purpose, they want to apply for Visa for which the passport will be required. Accordingly, the applicants are seeking modification of the said

condition clause (iv) and they are praying for direction to the concern police to return back passport of the applicants.

3. Learned Additional Public Prosecutor opposed the application and submits that there is possibility that the applicants may not return back to the country.

4. After considering the request made by the applicants that the passport is required for the purpose of Visa, I do not find any merit in the apprehension expressed by the learned Additional Public Prosecutor as this Court is not allowing the applicants to leave the country. Presently, the issue is about the Visa and therefore to that extent clause (iv) is modified and it is directed to the police to handover the passport to the applicants.

5. The condition that the applicants shall not leave the country without the permission of this Court is not modified.

6. Criminal application is disposed of.

[ANIL S. KILOR, J.]

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