

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.717 OF 2023
IN BA/2015/2022

SOMNATH BALASAHEB LAMKHADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Ms. S. A. Nagode h/f. Mr. Rahul R. Karpe
APP for Respondent No.1/State : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 16-03-2023

PER COURT :-

1. Notice for respondent No.2 is awaited.
2. Heard the learned counsel for the applicant and the learned A.P.P. for respondent No.1/State.
3. This is an application for relaxation of the condition No.(ii)(a) mentioned in the operative part of order dated 22.12.2022 passed in B.A.No.2015 of 2022 i.e. to stay away from the place of his residence for six months from the date of his release.
4. It is experienced that most of the lawyers while arguing the bail applications argue that the accused is ready to abide by any condition imposed, if she/he is enlarged on the bail. After release on bail, within a short time, they move an application for

relaxation of bail conditions, mostly on the same conditions which were at the time of arguing bail application. The same attempt has been made in this case also. The applicant is seeking relaxation of condition and allow him to enter the village on the ground that, he has a small child and family and nobody is there to look after them. The same was the condition when bail was argued. Such an application is nothing but a chance taken to get the condition relaxed. The application is not *bona fide*. Hence, dismissed without notice to victim.

(S. G. MEHARE)
JUDGE

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