

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.2097 OF 2023
IN BA/834/2022

SUKHDEV KISANRAO GARJE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. S. R. Andhale
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 24-07-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant is seeking relaxation of bail condition not to enter Pathardi town till conclusion of the trial.
3. The learned counsel for the applicant would submit that since the applicant was not allowed to enter Pathardi town, he could not attend the court. The chargesheet has been filed with Pathardi Court. Recently, he learnt that the Court of Judicial Magistrate First Class is intending to commit the case to the learned Sessions Court. Therefore, the notice was issued. Hence, he approached the Court. He never avoided the attendance of the court deliberately. However, since he was restrained from entering into Pathardi town, he could not attend the court of learned Magistrate.

4. The learned A.P.P. would submit that there were no complaints about the breach of the bail condition. The applicant did not attend the court of Judicial Magistrate First Class, Pathardi.

5. There were no complaints about breach of the bail condition. He had good reason for not attending the court of learned Magistrate. The case is to be committed to the Sessions Court. He is strictly following bail condition since the month of July 2022, without any complaint. No purpose would be served forcing the applicant to be away from Pathardi town. Hence, the order:-

- i) Application is allowed.
- ii) Bail condition No.(IV) not to enter Pathardi town till conclusion of the trial, imposed by this Court, in Bail Application No.834 of 2022 dated 14.07.2022 has been relaxed.

**(S. G. MEHARE)
JUDGE**

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