

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.2653 OF 2022
IN BA/85/2021**

**TAI @ GEETA W/O. RAJU CHAVAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicants : Mr. Dhanraj Ingole h/f Mr. N.S. Ghanekar
APP for Respondent/State : Mr. S.B. Narwade

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CORAM : S.G. MEHARE, J.

DATED : JANUARY 31, 2023

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants are seeking relaxation of the bail condition no.6 of the order of this Court dated 11.02.2021 in Bail Application No.85 of 2021. By that condition, the applicants were directed not to enter village Garada, Tq. Kannad till conclusion of the trial.
3. Learned counsel for the applicants would argue that the husband of applicant no.1/ Tai @ Geeta, who was allegedly the main accused has been expired. They are facing financial crisis in living outside the village. They also have no support of any male member to live outside the village. They did not breached the bail conditions.

They have strictly observed the bail conditions for about two years. Therefore to avoid their hard life, the condition may be relaxed.

4. Learned APP opposed the application. He would submit that the applicants were aggressive. They would reside together; therefore, the possibility of repeating the crime cannot be ruled out. For these reasons, it would be unsafe to relax the condition.

5. Perused the application and considered the arguments advanced by the learned APP. There are no complaints of breach of the conditions. It is also not in dispute that the husband of applicant no.1 who was the main accused, living at another place from their village with the applicants, is no more. In these circumstances, it may be believed that both applicants who are women may not have a support of a male member and they may be facing difficulty to live outside the village. Reasons for relaxation of the condition appears genuine. Therefore, the application deserve to be allowed. Hence, the following order :

ORDER

- I) The application is allowed.
- II) Condition no.6 in order dated 11.02.2021 in Bail Application No.85 of 2021, is relaxed; however, the applicants shall maintain peace and live the peacefully and avoid involving in any similar offence.

(S.G. MEHARE, J.)