

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

**CRIMINAL APPLICATION NO.3039 OF 2023
IN BA/955/2021**

**PRATIK VISHNU ADHAV
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. R. R. Karpe, Advocate for the Applicant.

Mr. K. S. Patil, APP for Respondents-State.

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CORAM : S. G. CHAPALGAONKAR, J.

DATED : 20th SEPTEMBER, 2023.

PER COURT:-

1. The applicant is accused in Crime No.289/2021 registered with Rehuri Police Station, Dist. Ahmednagar for the offences punishable under Sections 302 r/w 34 of the Indian Penal Code.

2. The applicant had filed Bail Application No.955/2021 before this Court for grant of regular bail. This Court favourably considered his prayer and directed his release vide order dated 14.10.2021. However, vide condition no.(ii) he was restrained from entering in the village till conclusion of the trial, having regard to close relations between applicant, deceased and his family members.

3. The learned Advocate appearing for the applicant would submit that the trial is at initial stage. Even, charge is not framed by this time. For more than two years, the applicant has

abided by the conditions imposed by this Court vide order dated 14.10.2021. Since the date of order the applicant is staying away from his village and presently serving at Pune. However, his family members, who are at village are suffering from various problems. The applicant is of marriageable age. For that purpose, he need to visit his home. The applicant has not breached any condition of the bail.

4. The learned APP opposes the prayer stating that with specific object the condition has been imposed.

5. Having considered the submissions advanced, apparently for more than two years, the applicant has complied conditions of bail imposed vide order dated 14.10.2021. It is not disputed from the prosecution that the applicant has abided with the conditions. Considering the conduct of the applicant, so also present stage of trial, there is no impediment in considering his prayer for relaxation of condition. Hence, the following order:

ORDER

- a. Criminal Application is partly allowed.
- b. The condition no.(ii) of the operative part of the order dated 14.10.2021 is relaxed to the extent of prevention against the applicant to enter his village.
- c. The application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE