



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

**CRIMINAL APPLICATION NO.4310 OF 2023
IN BA/1411/2023**

**SANKET MAHENDRA MORE
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. S. S. Bora, Advocate for the Applicant.
Mrs. P. J. Bharad, APP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 04th DECEMBER, 2023.**

PER COURT:-

1. By this application, the applicant seeks to relax condition no.(ii)(a) imposed vide order dated 30.08.2023 in Bail Application No.1411/2023.

2. Mr. Bora, learned Advocate appearing for the applicant would submit that the trial of offences would be at Jalgaon. The applicant resides at Chalisgaon. The applicant is getting married on 10.12.2023 at Soygaon, Tal. Malegaon, Dist. Nashik. However, ceremonies before and after are to be performed at the residence of the applicant. He would submit that other two accused persons are released on bail by order of the learned Sessions Court without imposing any condition. Accordingly, seeks relaxation of the condition as stated above.

3. The learned APP strongly opposes the prayer. She would submit that the applicant is charge-sheeted for the serious offences under Sections 302, 323, 324, 504, 506, 143, 144, 147, 148, 149 of the Indian Penal Code and Sections 37(1), 37(3) and Section 135 of the Maharashtra Police Act. She would further

point out that witnesses which are named in the charge-sheet are from Chalisgaon. There are serious allegations against the applicant and relaxation of condition may bring threat to them.

4. Having considered submissions advanced, apparently this Court has granted bail vide order dated 30.08.2023 and specific condition is imposed that the applicant shall not enter Chalisgaon town. Perusal of the charge-sheet would show that material witnesses are residence of Chalisgaon. Considering the nature of the offence, I am not inclined to consider for permanent relaxation of the condition. However, looking to the fact that applicant is getting married on 10.12.2023, the operation of condition no.(ii)(a) of order dated 30.08.2023 shall remain in abeyance for the period of two weeks from 06.12.2023.

5. Criminal Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE