

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1004 OF 2023

IN

CRIMINAL BAIL APPLICATION (ST). NO. 3390 OF 2020

Amit Bajirao Malusare

... Applicant

V/s.

State of Maharashtra

... Respondent

.....
Ms. Sheetal M. Ubale i/b. R. V. Bansode, Advocate for Applicant.
Ms. P. N. Dabholkar, APP for Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 6th SEPTEMBER 2023

P C:-

1. By this Application, Applicant seeking relaxation of condition.
2. It is contention of learned Counsel for the Applicant that this Court (Coram: Bharati Dangre, J.) by an Order dated 23.10.2020 has granted bail to the Applicant. While granting bail, Condition No.(e) is imposed on the Applicant, which reads as under :

“(e) The Applicant shall not enter into the village where the prosecutrix is residing, during pendency of trial.”

3. Learned Counsel further submits that charges have been framed earlier the matter was pending before the Satara Sessions

Court. Now it is transferred to Wai Sessions Court, it will take time to complete the trial. Applicant's family and parents are residing in Godavali village, District Satara, they need presence of the Applicant with them. Applicant has agricultural land in the same village. Applicant is a labourer, hence requested to relax/modify the said condition.

4. Learned APP submitted that, condition imposed by this Court is proper and no relaxation / modification of the said condition is required.

5. I have heard both the learned Counsel.

5. As the Applicant is a resident of village Godavali, District Satara, his family members staying there, his agricultural land is there and yet trial has not been commenced, in view of the above, I pass following Order:

- (i) Application is partly allowed.
- (ii) Condition No.(e) in bail Order dated 23.10.2020 is relaxed.

(SHIVKUMAR DIGE, J.)