



Diksha Rane

7 APPLN 27823.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.278/2023

1. SANJAY BHAGWAN BHORE

2. JOHNSON KRISTOPAR RAYCHUR ..APPLICANTS

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Satyavrat Joshi i/b. Adv. Ashish Vernekar for the
applicants.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 12, 2023.

P.C. :

1. Heard learned counsel for the applicants.
2. Learned APP opposed the application.
3. This is an application for relaxation of the condition no.3 in the operative order imposed by the trial Court vide order dated 6/10/2023 while granting bail to the applicants.
4. The applicants are the accused nos.9 and 10. Learned counsel submitted that the applicants will abide by other conditions except the condition no.3 for depositing the amount of Rs.5 lakhs each in the Court. The applicants

could not avail of the bail since 6/10/2023 because they are not in a position to deposit the amount of Rs.5 lakhs each. The condition according to them is onerous.

5. Learned counsel for the applicants submits that the applicants shall have no objection to the MPID Court for attachment of the movable and immovable property belonging to the applicants in accordance with the provisions of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999. Statement is accepted as an undertaking to this Court.

6. In my view, the condition no.3 to the extent of depositing Rs.5 lakhs each being onerous considering that the applicants have not been able to avail of the bail which is coming in the way of their personal liberty. In the facts and circumstances, the condition of deposit of Rs.5 lakhs each is waived to enable the applicants to avail of the facility of bail. Rest of the order remains intact.

7. The application is allowed to the aforesaid terms.

8. The application is disposed of.

(M. S. KARNIK, J.)