

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

INTERIM APPLICATION NO. 903 OF 2023

Aman @ Rahul Shekhar Singh	...Applicant
vs.	
The State of Maharashtra	...Respondent

Mr. G. T. Kanchanpurkar - Advocate for the Applicant
Mr. H. J. Dedhia - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 28th APRIL, 2023

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP.

2. Even though this Court has granted bail to this Applicant as per order dated 03/10/2022 passed in Bail Application No. 3376 of 2021, till today he could not arrange for the surety. He made one attempt to furnish surety, however the surety could not satisfy the trial court and that is why it has been rejected. Affidavit of surety is on page no. 21 alongwith solvency certificate. Now Applicant pressed that he be granted six weeks' time to furnish cash surety with assurance that he will furnish surety within that period.

3. Learned Advocate relied upon the judgment in case of Guddan @ Roop Narayan Vs. State of Rajasthan in Criminal Appeal No. 120 of 2023 dated 03/01/2023 and order passed in case of Shahid Ibrahim Vora Vs. The State of Maharashtra in Bail Application No. 2576 of 2022 and Order passed in case of Jyoti Nilesh Shidne Vs. State of Maharashtra in Criminal Bail Application No. 145 of 2021, dated 17/03/2021. Learned Advocate also relied upon the provisions contained in Section 445 of the Code of Criminal Procedure.

4. Learned APP opposed the relaxation for the reason that once he will be released on cash bail, he will not come and he is likely to abscond and it will be difficult to secure his presence.

5. Even though he is original resident of the State of Uttar Pradesh, it is orally submitted that at present he is a resident of Sawarkar Nagar, Upwan Thane. It is submitted that the said premises are taken on rental basis by his sister and Applicant is residing there.

6. The fact that he could not arrange for surety for almost seven months indicates that by remaining in jail, it has become difficult for his relatives/friends to arrange for arrange surety, but once he will come out he will be in better situation to arrange for the

surety. He needs to be given some time to make an arrangement for surety. There is a submission that even though he will not leave the Thane District and even though during that period he will attend to the local Police Station, in view of that following order is passed:-

ORDER

- (i) Applicant is granted ten weeks' time to furnish surety as per order passed by this Court on 03/10/2022. During the meantime, he is at liberty to deposit cash of Rs. 50,000/- with the trial court.
- (ii) The Applicant is further directed to give the proof of residence of his sister's address i.e. Sawarkar Nagar, Upwan Thane, before the trial Court. Rest all the conditions will remain as it is.
- (iii) In addition to that Applicant is directed to give attendance to Kashimira Police Station on every alternate day from 5 to 6 p.m. till the time he will furnish regular surety.
- (iv) The application is disposed of.

[S. M. MODAK, J.]