

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 992 OF 2023
IN
CRIMINAL BAIL APPLICATION NO. 1056 OF 2022

Laxman Bapurao Nagargoje ... Applicant

V/s.

State of Maharashtra ... Respondent

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Mr. Sagar Tambe i/b. Mr. Ritesh M. Thobde, Advocate for Applicant.
Ms. P. N. Dabholkar, APP for Respondent-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 30th AUGUST 2023

P. C:-

1. By this Application Applicant is seeking relaxation of bail condition.
2. It is the contention of learned Counsel for the Applicant that this Court (Coram : N.R.Borkar, J.) by an Order dated 09.11.2022 has granted bail to the Applicant. While granting bail, condition No. (iii) is imposed on the Applicant that Applicant shall not stay at the village Hingani till conclusion of trial and shall seek permission of the trial Court, if he is required to enter the said village.

3. Learned Counsel for the Applicant further submitted that the Applicant is a farmer, his agricultural land is situated within the limits of Village Hingani. Since the registration of the crime and his subsequent arrest, his land has been neglected. The entire livelihood of the Applicant depends on his agricultural produce which is his sole source of income. Applicant's family stays in the said village, it is necessary for the Applicant to go to said village. Hence, requested to allow the Application.

4. Learned APP strongly objected to allow the Application and submitted that if Applicant permitted to go to his village, he may influence the prosecution witnesses and requested to reject the Application.

5. I have heard both the learned Counsel.

6. Applicant is the resident of village Hingani and his family stays there. He has agricultural land in the said village. He is a farmer and needs to cultivate his agricultural land for his survival.

7. In view of the above, I pass following Order:-

- (i) Application is allowed.
- (ii) Condition No. (iii) in bail Order dated 09.11.2022 is relaxed.

- (iii) Applicant shall not influence victim and prosecution witnesses nor to contact them, till conclusion of the trial.

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(SHIVKUMAR DIGE, J.)