



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

CRIMINAL APPLICATION NO. 163 OF 2023

MILAN JINENDRA JAIN

..APPLICANT

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Mr. M.J. Bhatt a/w Ms. Savita Mundra, for the applicant.
Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 04, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for modification/relaxation of the condition imposed by the Sessions Court while enlarging the applicant on bail vide order dated 17/06/2023. The applicant was not in a position to comply with the directions as a result of which the applicant could not avail of the facility of bail though he was enlarged on bail as far back as on 17/06/2023.
- 3.** Learned APP opposed the application.
- 4.** An affidavit dated 03/10/2023 has been filed by the mother of

the applicant- Neeru Jinendra @ Jitendra Kumar Jain in this Court placing on record the manner in which the order passed by the trial Court will be complied with. The schedule has been provided for deposit of the said amount. The affidavit is taken on record. Learned counsel for the applicant on instructions submits that the applicant will abide by the schedule provided in the affidavit which has been affirmed by the applicant's mother. The statements made in the affidavit are accepted as an undertaking to this Court.

5. The condition No.3 of the order dated 17/06/2023 is modified in terms of the affidavit dated 03/10/2023 filed in this Court today by Neeru Jinendra @ Jitendra Kumar Jain.

6. It is made clear that if there is breach of any conditions mentioned in the affidavit, the consequences of the cancellation of bail shall follow.

7. The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

8. It is open for the applicant to apply to the trial Court for modification of the other conditions. The application is disposed of.

(M. S. KARNIK, J.)