



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

**INTERIM APPLICATION NO. 4255 OF 2023
IN
BAIL APPLICATION NO. 3823 OF 2021**

ROHIT NEJKAR

..APPLICANT

VS.

INTELLIGENCE OFFICER DIRECTORATE
OF REVENUE INTELLIGENCE MUMBAI
ZONAL UNIT AND ANR.

..RESPONDENTS

Adv. Amol Mhatre for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 19, 2023

P.C. :

1. Not on board. Upon mentioning taken on board.
2. Despite the advocate's notice, there has been no appearance on behalf of respondent No.1-DRI. The present application is made for modification of condition No.(iii) of the order dated 27/06/2022 passed by this Court in Bail Application NO. 3823 of 2021 enlarging the applicant on bail. The operative part of the order reads thus:

"i) The applicant is directed to be released on bail in connection with N.D.P.S. Special Case No.48 of 2017

on executing P. R. Bond in the sum of Rs.1,00,000/- with one or more sureties in the like amount;

ii) The applicant is permitted to furnish cash bail in the sum of Rs.1,00,000/- for a period of six weeks in lieu of surety;

iii) The applicant shall report DRI Mumbai once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

iv) The applicant shall attend trial Court regularly on the date of hearing of the case unless exempted by the Court for some reason.

v) The Applicant shall not leave India without prior permission of this Court.

vi) the Applicant shall deposit his passport with the trial Court. In the event he does not have passport he shall file affidavit before the trial Court while executing bail bond stating that he does not have passport.

vii) Bail Application stands disposed of accordingly."

3. Learned counsel for the applicant submitted that so far as the other accused is concerned, the trial Court has relaxed the condition completely. However, in the facts and circumstances of the present case, I am not inclined to relax the condition no.(iii) completely.

4. I am inclined to modify the condition suitably. The condition no.(iii) is accordingly modified and the same shall now be substituted with the following condition:-

"The applicant shall report DRI Mumbai once in three months, first Saturday of the concerned month, between 11.00 a.m. to 1.00 p.m., commencing January 2024".

- 5.** The application is allowed in the above terms.

(M. S. KARNIK, J.)