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

CRIMINAL APPLICATION NO.373/2022

ANKIT SON OF RAMKRIPAL UPADHYAYA ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Digajmaan Mishra a/w. Adv. Mangesh Bhende, Adv.
Yashmaan Mishra and Adv. Khushboo D. for the applicant.
Mr. S. H. Yadav, APP for State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 6, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. The application is made for modification of the
conditions imposed by the order dated August 8, 2022
passed in Criminal Bail Application No.1455/2022
(Anticipatory) which was further modified by the Sessions
Court. The trial Court permitted to deposit cash surety in
lieu of surety bond. It is the case of the applicant that the
condition of the cash deposit is very harsh. According to
him, Rs.15,000/- each is the cash surety which is to be
deposited as there are 8 accused. Learned counsel

submitted that the parents of the applicant are suffering from kidney disease and for their treatment substantial amount has to be spent. The applicant is working in IT company and earning Rs.40,000/- per month. His father has retired. In his submission, his relatives are implicated for no fault of theirs.

3. In my opinion, there is no reason to interfere with the order passed by the trial Court modifying the condition which according to me appears to be reasonable in the present facts. The application for relief in terms of prayer clause (a) is rejected.

4. The application, however, deserves to be allowed in terms of prayer clause (b) dispensing with the presence of the accused nos.2, 3 and 6 who are father, mother and sister of the applicant respectively, considering their medical conditions and the fact that the accused nos. 3 and 6 are women and have been abiding by the conditions since August 8, 2022.

5. The application is disposed of accordingly.

(M. S. KARNIK, J.)