

Versus

The State of Maharashtra ... Respondent

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Mr. Radhikesh Uttarwar alongwith Ms. Pooja Thakur, Mr. Shrikant Patil and Mr. Arjun Pawar for the Applicants.

Ms. Rutuja Ambekar, APP for the State.

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CORAM: N.R. BORKAR, J.

DATED : 8 MARCH 2023

P.C. :-

The learned Sessions Court by order dated 30 November 2022 in Criminal Bail Application No.7185 of 2022, granted bail to the present applicant inter-alia on the following condition :

“(iii) Applicants shall produce the cash of Rs.65,000/- and gold chain of 10 grams before the investigating officer.”

2. The learned Counsel for the applicant submits that due to matrimonial dispute the allegations of theft are made against the applicant. It is submitted that if the applicant complies with the condition in question, then at the time of trial it would be treated as recovery of theft articles at the instance of the present applicant. It is submitted that considering the facts and circumstances of the case, the condition in question be modified.

3. It appears from the order that the learned Counsel for the applicant has made the statement that the applicant is ready to deposit cash of Rs.65,000/- and gold chain of 10gms.

4. Considering the facts and circumstances of the case, the applicant instead of depositing the said cash amount and gold chain with the investigating officer shall deposit the same with the trial court. It is clarified that during trial, deposit of cash and gold chain shall not be treated as recovery of theft articles at the instance of the present applicant.

5. The application is disposed of.

(N.R. BORKAR, J.)

KANCHAN
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DHURI

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