



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO. 1438 OF 2023

IN

CRIMINAL APPLICATION (BA) NO.1202 OF 2022

Rajat @ Lala S/o. Rajesh Tabhane

.Vs.

State of Maharashtra, Through PSO, PS Sewagram, Distt. Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr Sumit Parate, Adv. h/f. Mr U. P. Dable, Counsel for the applicant
Ms Sneha Dhote, APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : NOVEMBER 06, 2023

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

2. By this application, the applicant is seeking relaxation of bail condition. It is the contention of learned counsel for the applicant that applicant has been released on bail by this Court (Coram: Anil S. Kilor, J.) vide order dated 13.12.2022. While granting the bail, this Court has imposed conditions on applicant. The condition Nos. (iii) and (iv) of the said order is that :

“(iii) The applicant shall not enter the territorial jurisdiction of Nagpur City and Police Station Sewagram, Distt. Wardha till culmination of the trial, except for the trial;

(iv) The applicant shall provide his address and name of Police Station, which he shall attend on 1st and 16th of each month between 10 am to 12 noon till culmination of trial;”

3. It is the contention of learned counsel for applicant that investigation is completed. Charge-sheet has been filed. Since last ten months the applicant is out of both cities. Applicant has roots in Nagpur city and his family stays in Nagpur city. Hence, requested to relax the conditions.

4. Learned APP submitted that applicant is habitual offender. If he is permitted to enter Nagpur city and under the jurisdiction of Sewagram Police Station, Wardha where complainant resides, he may influence the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused the order dated 13.12.2022 passed by this Court (Coram: Anil S. Kilor, J.) and first information report.

6. It appears that co-accused has been released on bail without imposing any condition by this Court. Complainant stays in the jurisdiction of Sewagram Police Station, Wardha. Considering this fact, I pass following order:

i) The condition No. 3(iii) and (iv) of order dated 13.12.2022 passed by this Court (Coram: Anil S. Kilor, J.) is modified.

ii) The applicant -Rajat @ Lala S/o. Rajesh Tabhane is permitted to enter in the territorial jurisdiction of Nagpur city. However, till conclusion of trial he shall not enter in the jurisdiction of Sewagram police Station Wardha except for attending date of trial.

iii) The applicant shall report to the nearest police station in Nagpur city on every first Monday of each month between 10:00 a.m. to 12:00 p.m. till recording of evidence of complainant.

7. The Criminal application stands **disposed of**, accordingly.

(SHIVKUMAR DIGE, J.)