



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

924 CRIMINAL APPLICATION NO. 2893 OF 2024

**SHAIKH MANJUR S/O SHAIKH CHAND
VERSUS
THE STATE OF MAHARASHTRA**

.....
Advocate for Applicant : Mr. Mahesh P. Kale
APP for Respondents/State : Mr. N.D. Batule
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**CORAM : Y.G. KHOBRADE, J.
DATE : 25.10.2024**

PC:-

1. Heard at length the learned counsel appearing for the Applicant and the learned APP. By present application, the Applicant has prayed for quashing and setting aside the order dated 09.05.2024 passed in Cri. M.A. No.04/2024 by which modification of anticipatory bail condition no.[v] was rejected and further prays to relax / modify condition no.[v] imposed by the learned Additional Sessions Judge, Majalgaon, Dist. Beed while granting anticipatory bail in Criminal Bail Application No.347/2023 on 11.10.2023.

2. It is submitted that, on 04.10.2023 Crime No.338/2023 was registered with the Police Station Majalgaon City against the present Applicant for the offence punishable under Section 384, 420, 506, 406, 409, 464-A, 466, 467, 468 of the I.P.C. Thereafter, the Applicant approached

before the Sessions Judge, Majalgaon by filing Criminal B.A. No.347/2023 and prayed for anticipatory bail. On 11.10.2023, the present Applicant was released on Anticipatory Bail in Crime No.338/2023 by imposing certain conditions including condition no.[v] (that the applicant shall not visit the office of the Municipal Council or he shall not try to influence any official including the complainant).

3. Subsequently, the present Applicant filed a Criminal M.A. No.04/2024 and prayed for modification / relaxation of condition no.[v] imposed under dated 11.10.2023 on the ground that in near future there will be elections of the Municipal Council, Majalgaon and the Applicant is required to visit the office of Municipal Council for his personal work as well as for the work of general public. The said application was strongly resisted by the prosecution on the ground that if condition no.[v] is relaxed in that event the Accused may enter in the office of Municipal Council and pressurize the witnesses including the Complainant, so also, he may tamper the record of the Municipal Council. On 09.05.2024, the learned Sessions Judge passed the impugned order and refused to relax the condition.

3. Needless to say that the present Applicant is the Ex-Chairman of the Municipal Council, Majalgaon and Crime No.338/2023 is registered as against the Applicant-Accused for the offence punishable under Section 384,

420, 506, 406, 409, 464-A, 466, 467, 468 of the I.P.C., which pertains to tampering of the Municipal Council record. Therefore, if the condition no.[v] under order dated 11.10.2023 passed in Criminal B.A. No.347/2023 is modified, quashed or relaxed in that event there is every possibility that the Applicant who is a politically influential person can tamper the witnesses and may issue threats to the Complainant. Not only this but the possibility of tampering of the record of the Municipal Council also cannot be ruled out. Therefore, I do not find any substance in the present application, hence, it is dismissed.

[Y.G. KHOBRADE, J.]