



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3521 OF 2024

Abhishek s/o Rajendra Mane .. Applicant

versus

The State of Maharashtra .. Respondent

Mr. N. B. Jadhav, Advocate for the Applicant.

Mr. A. A. A. Khan, APP for the State.

CORAM : S. G. MEHARE, J.

DATE : 24th SEPTEMBER, 2024.

PER COURT :

1. Heard learned counsel for the Applicant.
2. The Applicant seeks relaxation of condition in Clause No. II(b) of the order dated 25.07.2024.
3. The learned counsel for the Applicant added a bunch of documents to the Application. He orally argued that the Applicant has borrowed a loan to run his grocery shop however, due to the condition to stay away from the village, he could not pay the installment and it is causing hardship to him. Learned counsel for the Applicant tried to take the Court back to the facts of the case.

Those facts have no relevance because this is not a trial. While imposing the conditions, the Court has considered the entire aspects, facts and background and then imposed the condition to stay away from village Tuljapur for four months.

4. It is experienced here that while getting the bail, every Applicant agrees for each and every condition and in most of the cases, the arguments are advanced that the Applicant may be granted bail and he is ready to stay away from the village or his place of residence. However, within some time, the applicants are again brought to the Court for relaxation of condition.

5. Every accused has a different story and a different reason for seeking relaxation of condition. In this case, it appears that the Applicant had borrowed a loan in the year 2023 i.e. before the incident. It was his duty to repay the loan amount. The Court is not convinced that he has sufficient reason to seek relaxation of the condition. It seems to be just a chance to seek relief from the Court. Learned counsel for the Applicant has also argued that there is danger to the life of the Applicant. However, he has no material to show that his life is in danger. The Applicant is residing at the house

of his sister where he seems safe. Only for the sake of seeking order, such ground appears to have been created. The ground of danger to life for relaxation of condition is without pleading and just hypothetical to seek relief from the Court. There is absolutely no substance in the Application. This is just killing of Court time. Therefore, the Application stands dismissed with cost of Rs.5,000/-. The amount of cost to be deposited with the Trial Court after the period of his condition to stay away from village Tuljapur is over.

(S. G. MEHARE)
Judge

dyb