

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2010 OF 2024
IN
CRIMINAL BAIL APPLICATION NO.924 OF 2023

Babali Niranjana Nayak & Anr.	...Applicants
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Kamran Saikh a/w. Mr. Deepak Gupta, Advocates, for the Applicants.
Ms. S. S. Kaushik, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED: 10th MAY 2024

P.C.:

1. Heard Mr. Shaikh, learned Counsel for the Applicants and Ms. Shinde, learned APP for the Respondent-State.

2. This Interim Application is preferred seeking modification of the conditions for bail imposed on the Applicants vide Order dated 12th March 2024 passed in Bail Application No.924 of 2023.

3. Mr. Shaikh, learned Counsel for the Applicants states that the Applicants are residents of the State of Odisha and that the

Applicants have been ordered to be released on a P.R. Bond of Rs.50,000/- each with one or two local solvent sureties each in the like amount. He states that as the Applicants are residents of Odisha, they are facing difficulties in securing two local solvent sureties each.

4. He pointed out the Order dated 31st January 2023 passed by the Supreme Court of India in the case *Policy Strategy for Grant of Bail, In re*¹. In the said case, the Supreme Court was considering *inter alia* the issue that even after bail orders are passed, the Accused are not actually released on bail and that there is a delay in releasing them. The Supreme Court has directed that in such cases, the Courts may not impose the condition of *local* surety.

5. Mr. Shaikh, learned Counsel for the Applicants submitted that instead of the aforesaid, the Applicants are ready to furnish *solvent* sureties from the State of Odisha. He submitted that the Applicants will attend every hearing before the learned Trial Court and that they will tender an undertaking to that effect within a period of one week after being released on bail.

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6. In view of these statements, clauses (a) and (c) of paragraph No.14 of the Order dated 12th March 2024 are modified as under:

“(a) The Applicant No.1 - Babali Niranjana Nayak and the Applicant No.2 - Sukanti Niranjana Nayak be released on bail in connection with C.R. No.567 of 2021 registered with the Rajgad Police Station, District - Pune on their furnishing PR. Bond of Rs.50,000/- each with one or two solvent sureties each in the like amount.

(c) The Applicants shall report to the Rajgad Police Station, District - Pune through Video Call on the first Monday of every month between 11.00 a.m. and 1.00 p.m. until the conclusion of the trial.”

7. The Interim Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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