

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2222 OF 2023
IN
CRIMINAL BAIL APPLICATION NO. 428 OF 2022

Prabhavati Kalappa Naik ... Applicant
Versus
The State of Maharashtra ... Respondent

.....
Mr. Sambhaji Kharatmol, Appointed Advocate, for the Applicant.

Mr. Mayur S. Sonavane, APP, for the Respondent-State.

Mr. N. P. Sawant, PSI, Mankhurd Police Station, present.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 2nd APRIL, 2024.

P.C.

Heard Mr. Kharatmol learned Counsel appointed through
Legal Aid.

2 Perused the application forwarded by the applicant from the
jail seeking relaxation of condition.

3 At the outset, Mr. Kharatmol invites my attention to an order
of bail dated 21st July, 2022 passed by this Court. While releasing
the applicant on bail, she was directed to execute a PR bond in the

sum of Rs.30,000/- with one or two local sureties *inter alia* directed to attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. till conclusion of the trial.

4 The order further reveals that the applicant is directed to inform her latest place of residence and mobile contact details after her release to the Court seized of the matter and also to the Investigating Officer.

5 Learned Counsel for the applicant informs that around nine witnesses have been examined out of 35 witnesses.

6 Since the applicant has already been released on bail by this Court on 21st July, 2022 merely because she could not furnish surety, she could not be continuously detained despite an order of bail by this Court only for want of sufficient sureties.

7 Mr. Sonavane, learned APP, however, objects the application on the ground that in case of her release on cash security, she would abscond and would not be available for trial. Mr. Sonavane, however, submits for passing necessary orders.

8 Having considered the aforesaid aspect, the applicant be enlarged on furnishing cash security in the sum of Rs. 10,000/- till conclusion of the trial.

9 The order stands modified accordingly.

10 Other conditions in bail order will continue to operate till the conclusion of the trial.

11 Application stands disposed of.

12 All concerned to act on an authenticated copy of this order.

[PRITHVIRAJ K. CHAVAN, J.]