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Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 2764 OF 2023
IN
CRIMINAL BAIL APPLICATION NO. 2185 OF 2022**

Rihad Rashid Kalathil .. Applicant

Vs.

The State of Maharashtra .. Respondent

.....
Mr. P. Rajan i/b Hulai & Co., for the applicant
Mr. A.A. Palkar, APP for the respondent – State
.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 30th JANUARY, 2024

P.C.

1. This is an application seeking relaxation of conditions (d) and (f) in an order of bail passed by this Court on 26th September 2022 (Coram: Smt. Bharati Dangre, J.). The conditions (d) and (f) read thus:-

“(d) The Applicant shall continue to reside in the State of Maharashtra and shall not leave the State without prior permission of the Court.

(f) The Applicant shall mark his attendance to the

concerned Police Station on first day of every month between 4.00 p.m. to 6.00 p.m., till framing of charge.”

2. Learned Counsel for the applicant tender itinerary of the applicant commencing from 5th February 2024 onwards at different places like, Pondicherry, Chennai, Hubali-Dharwad - Karnataka, Kochi - Kerala as well as New, which is annexed along with the additional affidavit at Exh.D. It is submitted that the applicant has completed his bachelor of Surgery and is now required to attend different Seminars / Conferences as above. It takes considerable time to apply to the trial Court to seek prior permission before leaving the aforesaid places, which are essentially out of the State of Maharashtra.

3. In order to facilitate the applicant to attend the various conferences scheduled as per the Annexure, Counsel submit that looking to his carrier in Medicine the said conditions need to be relaxed.

4. Learned APP has no objection to relax the said conditions in view of the aforesaid facts. As such, conditions (d) and (f) are relaxed. Since the chargesheet has already been filed, the applicant need not attend the concerned Police station.

5. However, the applicant shall intimate in advance to the trial Court as and when he would be leaving the State of Maharashtra. There is no need to seek prior permission of the trial Court. The applicant shall strictly adhere to the remaining conditions in the bail order.

6. The application stands disposed of in the aforesaid terms.

(PRITHVIRAJ K. CHAVAN, J.)