

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

**CRIMINAL APPLICATION NO. 1652 OF 2023**

SANTOSH  
SUBHASH  
KULKARNI

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SANTOSH SUBHASH  
KULKARNI  
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Vasant Bhaskar Mhatre ...Applicant  
**Versus**  
State of Maharashtra ...Respondent

Mr. Tanveerussalma, a/w Akshay Bhalerao, for the  
Applicant.  
Mrs. G. P. Mulekar, APP for the State/Respondent.

**CORAM: N. J. JAMADAR, J.**  
**DATED: 17<sup>th</sup> JANUARY, 2024**

**ORDER:-**

1. Heard the learned Counsel for the parties.
2. This is an application for reducing the amount of bond to be furnished by the applicant, subject to which the applicant has been ordered to be released by the learned Additional Sessions Judge, Mumbai, in BA/1729/2023, by an order dated 17<sup>th</sup> August, 2023.
3. The learned Counsel for the applicant submitted that the amount of the bail bond, being exorbitant, the applicant had not been able to furnish the bond, and is, thus, still languishing in custody despite the order of bail. By a further order, the learned Sessions Judge has reduced the amount of the bond to Rs.5,00,000/-. The learned Counsel for the

applicant submitted that the applicant could not arrange surety for the said amount as well.

4. The learned Counsel for the applicant invited the attention of this Court to an order dated 6<sup>th</sup> September, 2023 passed by this Court in Criminal Application No.150 of 2023 on an application preferred by Satyandra Lalji Srivastav, the co-accused, whereby this Court reduced the amount of the bond to Rs.1,00,000/-.

5. It is trite, the amount of the bail bond should not be prohibitive, lest it takes the character of defeating the order of bail. Since the co-accused has been permitted to be released on bail on furnishing a bond in the sum of Rs.1,00,000/-, I am inclined to allow the application.

6. The condition No.1(a) of the order dated 17<sup>th</sup> August, 2023, modified by order dated 23<sup>rd</sup> November, 2023, stands further modified to the effect that the applicant shall furnish a PR Bond in the sum of Rs.1,00,000/- and one or two sureties in the like amount, instead a PR Bond and surety in the sum of Rs.5,00,000/-.

7. Application stands disposed.

[N. J. JAMADAR, J.]