

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2501 OF 2024

IN

BAIL APPLICATION NO. 816 OF 2022

Roshan Hiranand Jha

...Applicant

Versus

The State of Maharashtra

...Respondent

- Ms. Asha Joshi i/b Mr. Dilip Kamath, for Applicant.
- Mr. Balraj B. Kulkarni, APP for Respondent.
- Mr. Dnyanoba Indrale, API, Kalyan Taluka Police Station.

CORAM : MANISH PITALE, J.

DATE : 06th SEPTEMBER, 2024.

P. C. :

1. Heard Ms. Joshi, learned counsel for the applicant and Mr. Kulkarni, learned APP for the State.

2. This is the second application moved on behalf of the applicant seeking relaxation of condition (v) imposed by this Court in the order dated 13.09.2022 while granting bail to the applicant.

3. The earlier application seeking relaxation of the aforesaid condition was rejected on 07.07.2023 by this Court, observing that the applicant has several criminal antecedents and that no ground was made for relaxing the said condition.

4. Condition (v) imposed in the order dated 13.09.2022, reads as

follows :

“v. *The applicant on his release shall not set his foot in the jurisdiction of Ulhasnagar and Thane Police Station as per the undertaking to this Court and he shall continue to reside in the jurisdiction of Nashik City.*”

5. The direction that the applicant shall continue to stay in the jurisdiction of Nashik City was issued in the light of the undertaking recorded on behalf of the applicant in paragraph No.8 of the said order dated 13.09.2022.

6. In the said order, as well as the subsequent order dated 07.07.2023, whereby the earlier application for relaxation of condition was rejected, this Court specifically took note of the 12 criminal antecedents of the applicant, as also an offence registered at Vitthalwadi Police Station. The earlier 12 offences were all registered at Ulhasnagar Police Station.

7. It is in this backdrop that the above quoted condition was imposed.

8. In this application, the main ground pressed on behalf of the applicant is the fact that his wife is pregnant and about to deliver the child and also that she is suffering from breast cancer.

9. It is not as if the wife of the applicant is staying away from him.

It is an admitted position that they are staying together at Nashik for all this period and therefore, in the light of the several criminal antecedents of the applicant and the observations made by this Court (*Coram : Smt. Bharati H. Dangre, J.*) in the orders dated 13.09.2022 and 07.07.2023, no ground is made out for allowing the present application.

10. Accordingly, the application is dismissed.

(MANISH PITALE, J.)