

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2558 OF 2024
IN
BAIL APPLICATION NO.3333 OF 2022

Sani @ Shani Gauri Yadav ... Applicant

Vs.

State of Maharashtra ... Respondent

WITH
INTERIM APPLICATION NO.2943 OF 2024
(Not on Board. Taken on Board.)
IN
BAIL APPLICATION NO.3333 OF 2022

Mr. R. R. Tripathi for Applicant.

Mr. R. M. Pethe, APP for Respondent-State.

Mr. B. Pawar, PSI, Kurar Police Station.

CORAM : MANISH PITALE, J.

DATE : SEPTEMBER 06, 2024

P.C. :

. This is an application moved by the applicant seeking modification of order dated 08.11.2023 passed by this Court, whereby his bail application was allowed. In the said order, the applicant was directed to furnish P.R.Bond of Rs.25,000/- with solvent surety in the like amount. The applicant seeks modification to the extent of permitting him to provide cash bail security instead of solvent surety.

2. The learned APP has opposed the aforesaid prayer on the ground that the applicant is an original resident of Uttar Pradesh and there is every possibility that upon being released on bail, the applicant may abscond and / or he may not appear before the trial Court. A perusal of the papers shows that despite the order granting bail passed in favour of the applicant, as far back as on 08.11.2023, the applicant has continued

to languish in jail till date, only for the reason that he is unable to arrange for solvent surety to the satisfaction of the concerned Court. In the order granting bail to the applicant, certain observations on merits have been made in his favour.

3. The apprehension expressed by the learned APP is also justified, and therefore, this Court is inclined to impose certain further conditions on the applicant, while granting the prayer made on his behalf.

4. The order dated 08.11.2023 is modified to the extent that instead of furnishing solvent surety for the amount of Rs.25,000/-, the applicant is permitted to furnish cash bail security. But, while permitting the aforesaid modification, the following additional conditions are imposed on the applicant:-

- a. Upon being released on bail, the applicant shall attend Kurar Police Station, Mumbai on the first and fourth Monday of the month, for the first three months, and thereafter, on the first Monday of every month during the pendency of the trial;
- b. The applicant shall not leave the jurisdiction of the concerned Court without prior permission of the said Court;
- c. The applicant shall attend each and every date of trial before the concerned Court, unless exempted for reasons to be recorded in writing;

5. The application is disposed of.

6. Apart from the letter sent by the applicant through jail, which is treated as Interim Application No.2558 of 2024, it appears that a separate application for the same purpose is also filed, which is registered as Interim Application No.2943 of 2024.

7. In view of the order passed hereinabove, Interim Application No.2943 of 2024 also stands disposed of.

(MANISH PITALE, J.)

Minal Parab