

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

**INTERIM APPLICATION NO. 3681 OF 2024
IN
BAIL APPLICATION NO. 4471 OF 2021**

Abhishek Dilip Warghade	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Suraj N. Naik i/by Mr. R. D. Suryawanshi for the Applicant.
Mr. Tanveer G. Khan, APP for Respondent-State.
Ms. Apeksha Jadhav, PSI, Ambernath Police Station.

**CORAM: MANISH PITALE, J.
DATE : 12th NOVEMBER 2024**

P.C. :

. This is an application, seeking modification of bail condition, has been circulated urgently in the light of the fact that the mother of the applicant expired on 4th November 2024 and the rituals are to be conducted tomorrow and on 15th November 2024.

2. The learned counsel for the applicant submits that identical condition imposed in the cases of co-accused persons, was relaxed by orders passed by this Court and therefore, the present application may be allowed.

3. The condition, of which the applicant is seeking modification, reads as follows :

“(d) The applicant shall not step into the jurisdiction of the Ambernath Police Station, except for the purpose of marking attendance, as directed in clause (c) above and shall not enter the area where the complainant and the witnesses are residing.”

4. The documents placed on record show that by order dated 14th February 2024 passed in Interim Application No. 4640 of 2023 (*Santosh Balaram Vishe v/s. The State of Maharashtra*), order dated 19th March 2024 passed in Interim Application No. 1099 of 2024 (*Keval Suresh Gaikwar v/s. The State of Maharashtra*) and in recent order dated 29th August 2024 passed in Interim Application Nos. 1586 of 2024 (*Ajay Motiram Thakre v/s. State of Maharashtra*) and Interim Application No. 1814 of 2024 (*Mayur Motiram Thakre v/s. State of Maharashtra*), this Court has indeed relaxed the aforesaid condition imposed in the cases of co-accused persons. It is to be noted that in the order dated 29th August 2024, it was recorded that the large number of witnesses have been already examined during the course of trial and that few witnesses remain.

5. In view of the above, the instant application deserves to be allowed.

6. Accordingly, the application is partly allowed and condition (d) quoted hereinabove is deleted.

MANISH PITALE, J.