



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 527 OF 2025
IN BAIL APPLICATION NO. 1952 OF 2024**

Amol @ Mama Bhimrao Jadhav,
Age : 26 Years, Occu. : Labour,
R/o. Anand Nagar,
Ambedkar Chowk, Dist. Latur.

... Applicant

VERSUS

The State of Maharashtra,
Through Police Inspector,
Gandhi Chowk Police Station,
Dist. Latur.

... Respondent

....
Advocate for Applicant : Ms. Sayali S. Tekale
APP for Respondents-State : Mr. S.B. Narwade
....

CORAM : ABHAY S. WAGHWASE, J.

Dated : 24th February, 2025

ORDER :

1. This is an application for relaxation of condition imposed by this court vide order dated 05.12.2024 in Bail Application No.1952 of 2024.

2. Learned counsel for the applicant pointed out that, applicant was arrested in crime No.426 of 2022, registered at Gandhi Chowk Police Station, Latur for offence under Section 302 read with 34 of the Indian Penal Code. She further pointed out that, after hearing both sides, this court by order dated 05.12.2024, allowed the bail application. However, while imposing condition, by virtue of clause (a), applicant has been directed to furnish P.R. Bond of Rs.20,000/- with one or two sureties. That, since order dated 05.12.2024, applicant is unable to comply with the said condition as he is labour and as such he could not arrange surety and comply with the said condition, so he is behind the bars since long. Therefore, learned counsel prays that, if amount is reduced and if he is given time to arrange for surety, said condition would be complied with and hence, she seeks modification.

3. Learned APP opposed on the ground of apprehension misuse of liberty.

4. Heard. Perused the papers. It is clear that, applicant was arrested in crime No.426 of 2022, registered at Gandhi Chowk Police Station, Latur, for offence under Section 302 read with 34 of IPC. After he moved Bail Application No.1952 of 2024, this court by order

dated 05.12.2024, allowed the same by imposing conditions. Now condition (a) which is sought to be relaxed is as under :

“a] The applicant in Bail Application No.1952 of 2024 shall be released on bail in connection with Crime No. 426/2022, registered at Gandhi Chowk Police Station, Latur, for the offence punishable under Section 302 r/w. 34 of the Indian Penal Code, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial court.”

5. Statement is made across the bar that, applicant is labour and he is unable to arrange for the above condition. However, he is ready to comply with the same if he is given time and even if the amount is reduced. Considering the same, when admittedly this court had granted bail on merits vide order dated 05.12.2024, fruits of the same could not be seen to be availed for above reasons. Therefore, the amount directed by this court is required to be modified and applicant is required to be given four weeks time to comply with the remaining condition imposed in clause (a) of the order. Hence, following order is passed.

ORDER

I] The application is allowed.

II] Clause (a) of the order dated 05.12.2024 is modified as under :

a] Four weeks time is granted to furnish surety as per order. Till then the applicant in Bail Application No.1952 of 2024 be released on bail in connection with Crime No. 426/2022, registered at Gandhi Chowk Police Station, Latur, for the offence punishable under Section 302 r/w. 34 of the Indian Penal Code, on furnishing PR bond of Rs.10,000/- (Rupees Ten Thousand Only).

III] Rest of the conditions mentioned in the order dated 05.12.2024 remains intact.

IV] Parties to act on authenticated copy.

[ABHAY S. WAGHWASE, J.]