



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 605 OF 2025
IN
BAIL APPLICATION NO. 61 OF 2025

Balaji Khandojirao Jumbad
Age : 72 years, Occ. : Agriculture,
R/o Bori (Bk), Tq. Kandhar,
Dist. Nanded.

... Applicant

Versus

The State of Maharashtra
Through Kandhar Police Station,
Tq. Kandhar, Dist. Nanded.

... Respondent

.....
Mr. Anil M. Gaikwad, Advocate for the Applicant.
Mr. V. M. Chate, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 14.02.2025

ORDER :

1. Not on board. Upon mentioning, taken on board.
2. Present application is for relaxation of condition imposed by this Court on 07.02.2025 in Bail Application No. 61 of 2025.
3. Learned counsel submitted that applicant is beneficiary of bail order at the hands of this Court on above date. That, while allowing

bail application, certain conditions were imposed including not to enter vicinity of village Bori (Bk.), Taluka Kandhar, District Nanded till conclusion of trial, i.e. by virtue of condition at clause (iv).

4. Learned counsel pointed out that son of present applicant died due to consumption of poison, i.e. today. Provisional death certificate is placed on record. Therefore, being biological father, applicant needs to enter the very village on account of loss of his son and to attend further necessary rituals. Hence, he seeks relaxation of condition no. (iv).

5. Learned APP concedes, but on condition that the liberty would not be misused and that he should attend concerned police station daily.

6. After hearing both sides and on going through the papers, it is emerging that applicant was granted bail by this in Bail Application No. 61 of 2025 on account of his arrest in crime no. 432 of 2024 registered at Kandhar Police Station, District Nanded. Amongst conditions while granting bail, condition no. (iv) was that, applicant shall not enter into vicinity of village Bori (Bk.), Taluka Kandhar, District Nanded, till conclusion of trial.

7. Today, matter is got urgently circulated on the ground that applicant's son who had consumed poison, succumbed today and being father, he needs to enter the village.

8. Perused the provisional death certificate placed on record. In the light of above supervening circumstances, condition (iv) is required to be relaxed for a period of 14 days from today. Hence, the following order is passed :

ORDER

- I. The application is partly allowed.
- II. The condition imposed vide clause no. (iv) of the operative part of the order dated 07.02.2025 in Bail Application No. 61 of 2025 is hereby temporarily relaxed for 14 days from today, i.e. from 14.02.2025.
- III. During the above period, the applicant shall report Kandhar Police Station, District Nanded daily in the evening between 7.00 p.m. to 8.00 p.m.
- IV. Applicant shall not misuse the temporary relaxation so granted today, in any manner.
- V. Parties to act on an authenticated copy of this order.

[ABHAY S. WAGHWASE, J.]