



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 958 OF 2025
IN
BAIL APPLICATION NO. 43 OF 2023

Satyendra Radheshyam Mishra
Age – major, Occupation – Nil,
R/o. Dajarbadh, Taluka Beriya,
District Baliya Sate Uttar Pradesh,
At present Nanded District Prison.

... Applicant

Versus

The State of Maharashtra

... Respondent

.....
Ms. Mayuri G. Kasturkar, Advocate for the Applicant.
Mr. C. V. Badhane, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 08.04.2025

Pronounced on : 09.04.2025

ORDER :

1. Present application is for relaxation of condition imposed by this Court by order dated 23.02.2023 in Bail Application No. 43 of 2023.

2. Learned counsel pointed out that applicant is arrested in above crime bearing no. 39 of 2022 for alleged commission of offence under Sections 420, 468, 471 r/w 34 of IPC. That, Bail Application No. 43 of 2023 was pressed into service and this Court granted bail by imposing

conditions. However, according to learned counsel, applicant is unable to fulfill the condition of furnishing PR bond and solvent sureties as well as depositing the amount, as directed. Therefore, conditions imposed vide clause (ii) of para 4 of the order dated 23.02.2023 are sought to be relaxed.

3. Learned APP opposed on the ground that, after hearing both sides, and on submissions of learned counsel for applicant, this Court had passed order. However, learned APP submits that appropriate order as regards relaxation of furnishing PR bond and solvent sureties be passed.

4. Heard learned counsel for the applicant. On going through the order dated 23.02.2023 passed in Bail Application No. 43 of 2023, this Court seems to have observed that, learned counsel for the applicant has expressed his willingness to deposit Rs.20,00,000/- (Twenty Lakh) at the time of furnishing bail and remaining Rs.10,00,000/- (Ten Lakh) after 45 days of his release. Considering the same, bail was granted by imposing following conditions :

“4. For the above reasons the following order is passed

(i) The application is allowed.

(ii) The applicant Satyandra Radheshyam Mishra be released on bail, on furnishing P.B. and S.B. of Rs. 1,00,000/- with one or two solvent sureties of Rs.50,000/- each, in C.R.No.39/2022 registered with Police Station Mahakoli, District Nanded, for the offences punishable under Sections 420, 468, 471 read with Section 34 of the Indian penal Code, on the conditions that :-

(a) The applicant shall deposit Rs. 20,00,000/-(Twenty Lakh) before the trial Court before furnishing the bail and surety bond.

(b) The applicant shall deposit Rs. 10,00,000/- (Ten lakhs) before trial Court within 45 days from the date of his release on bail.

(c) If he would not deposit the remaining amount of Rs.10,00,000/- (Ten lakh) the bail would automatically stands cancelled.

(d) The applicant shall furnish his and his two family members' permanent residential address and mobile phone numbers, which are in use, to the police before furnishing the bail and surety bond.

5. Now, by present application, conditions of furnishing solvent sureties and PR bond as well as regarding deposit of amount are sought to be relaxed.

6. It is apparent from the order passed by this Court dated 23.02.2023 that only on undertaking by applicant, this Court had passed order of depositing Rs.20,00,000/- and Rs.10,00,000/- respectively. This Court, at the most, can relax the condition imposed by this Court by order dated 23.02.2023 regarding furnishing PR Bond of Rs.1,00,000/- and one or two solvent sureties of Rs.50,000/- each. Hence following order is passed :

ORDER

- I. The application is hereby partly allowed.
- II. Clause (ii) of para 4 of the order dated 23.02.2023 passed in Bail Application No. 43 of 2023 is hereby modified to the effect that, in stead of P.B. and S.B. of Rs. 1,00,000/- with one or two solvent sureties of Rs.50,000/- each, applicant shall execute P.B. of Rs.10,000/- (Ten Thousand) with one surety in the like amount.
- III. Rest of the conditions vide clause (ii) (a) to (ii)(d) of para 4 of the order dated 23.02.2023 passed in Bail Application No. 43 of 2023 are kept intact.
- IV. The application is accordingly disposed off.

[ABHAY S. WAGHWASE, J.]