



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 CRIMINAL APPLICATION NO. 3837 OF 2024
IN BA/338/2024

Balaji @ Balu Tukaram Wankhede and another
VERSUS
The State of Maharashtra

...
AND

CRIMINAL APPLICATION NO. 2321 OF 2024
IN BA/2264/2023

Sanket Balu Wankhede
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Raje Vikrant P.
APP for Respondents: Mr. D.J. Patil

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 17th JANUARY 2025

PER COURT :-

1. Both these applications i.e. criminal application No. 3837 of 2024 and 2321 of 2024 are filed for relaxation of condition imposed by this court while granting bail to the applicants, by order dated 15.3.2024 and 15.1.2024, respectively.

2. This Court while granting bail by the aforesaid orders, imposed conditions that the applicants shall not enter in the village Kanergaon Naka, Tq. and district Hingoli till the conclusion of trial and

shall not pressurize the prosecution witnesses and tamper with the evidence.

3. Learned advocate for the applicants submitted that the bar and restaurant of the applicants is situated at village Kanergaon. Nobody is there to look after the affairs of the said Bar and restaurant. Approximately 8 months are over even the charges are not framed by the trial court. He submits that it will take some time to conclude the trial. The applicants are facing financial problems. He therefore, submitted to relax the condition imposed of not entering into village Kanergaon, Tq. And district Hingoli.

4. Learned A.P.P. for the State strongly opposed the applications and submitted that there is possibility of pressurizing the prosecution witnesses. He therefore, submitted to reject the applications.

5. On perusal of documents on record, it appears that since last eight months, no any overt act on the part of the applicants is attributed. If any overt act is pointed out, such conditions can again be imposed. Considering the fact that the applicants have no criminal antecedents, the applications deserve to be allowed. The condition that the applicants shall not enter in village Kanergaon, Tq.

and district Hingoli is relaxed, with further condition that the applicants shall mark their presence once in a months in Goregaon police station Tq. and district Hingoli, till the conclusion of trial.

6. The applications are allowed and disposed of.

(SANJAY A. DESHMUKH, J.)

rlj/