

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3174 OF 2024****IN****BAIL APPLICATION NO. 3819 OF 2023**

Datta @ Sunil Purushottam Lekawale

... Applicant

Versus

State of Maharashtra

... Respondent

.....

Ms. Sana Raees Khan a/w. Ms. Juhi Kadu, Advocate for the Applicant.
Smt. Anuja S. Gotad, APP for the State.

CORAM : SHIVKUMAR DIGE, J.**DATED : 4th FEBRUARY, 2025.****P.C. :**

1. By this application, applicant is seeking modification of the bail condition of the order passed by this Court (Coram : Madhav Jamdar, J.) dated 08.02.2024.

2. By the said order this Court has imposed condition on the applicant i.e. condition No. 15(b) that “The Applicant shall not enter District-Pune after being released on bail, except for reporting to the Investigating Officer, if called and for attending the trial”. Learned counsel for the applicant submits that applicant’s family is staying in Pune District. He needs to stay with his family. The other three co-accused against whom same allegations are leveled like the applicant, have not imposed this condition, hence requested to allow the application.

3. It is the contention of learned APP that applicant and co-accused have murdered the deceased with attacking him by sickle. The applicant is the main culprit. If condition is relaxed, the applicant may threaten the prosecution witnesses and first informant hence requested to reject the application.

4. I have heard both the learned counsel. Perused the FIR. The allegations in FIR are against the four co-accused including the applicant attacked on the deceased and murdered him. All co-accused have been released on bail but no bail condition is imposed on the co-accused not to enter into the Pune District. Applicant's family stays in Pune District. Considering this fact, I pass following order:

ORDER

- (i) The application is allowed.
- (ii) Condition Nos. 15(b) of the Order dated 08.02.2024 is relaxed.

5. Interim application is disposed of.

(SHIVKUMAR DIGE, J.)