

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 4011 OF 2024

IN

CRIMINAL BAIL APPLICATION NO. 2052 OF 2023

Sushil Dharma Yadav

... Applicant

Versus

State of Maharashtra

... Respondent

.....

Advocate R.R. Salvi i/b. Suvarna B. Telgote, Advocate for the Applicant.
Ms. Pallavi N. Dabholkar, 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 14.03.2024.

2. It is the contention of the learned counsel for the applicant that applicant has been released on bail by this Court vide order dated 14.03.2024. This Court has imposed condition No. 7(c) "The Applicant shall report to the New Panvel Police Station, District-Raigad once in every week i.e. on every Sunday between 11.00 a.m. and 1.00 p.m. until the conclusion of the trial; and condition No.7(g) "The Applicant shall surrender his passport, if any, to the Investigating Officer".

Learned counsel further submitted that investigation is completed and charge has been framed against the applicant and co-accused. As the applicant is attending the Court dates regularly, it is not necessary to attend the Investigating Officer, hence requested to allow the application.

3. Learned APP strongly objected to allow the application on the ground that applicant is the co-accused under Section 302 and other relevant sections of Indian Penal Code, 1860. The allegations against the applicant are that he helped the co-accused to wipe out the evidence. As per the undertaking of the applicant, bail conditions are imposed on him. Hence requested to reject the application.

4. I have heard both the learned counsel. The applicant is already released on bail. Investigation is completed, charge also framed against the applicant and co-accused. Considering this fact, it is not necessary to attend the Investigating Officer and the applicant is directed to take the permission of the Trial Court, if he wants to travel abroad it would suffice.

5. Considering this fact, I pass following order:

ORDER

- (i) The application is allowed.
- (ii) Condition Nos. 7(c) and 7(g) of the Order dated 14.03.2024 are relaxed.

(iii) Investigating Officer is directed to release the passport of the applicant.

(iv) The applicant shall take permission of the Trial Court if he intends to go abroad.

6. Interim application is disposed of.

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

Digitally signed
by SONALI
SATISH KILAJE
Date:
2025.02.06
10:22:00 +0700