



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.5026 OF 2024
IN
INTERIM APPLICATION NO.454 OF 2024
WITH
CRIMINAL APPEAL NO.726 OF 2021

Sadu Sukhad Khanzode	Applicant
In the Matter in Between:	
Sadu Sukhad Khanzode	Appellant
Vs.	
The State of Maharashtra	Respondent

Mr. Amit A. Mane, Appointed Advocate, for the Applicant.
Mrs. Kranti T. Hiwrale, APP, for Respondent-State.

CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.
DATE : 21st JANUARY 2025.

P.C.:-

1. Heard learned counsel for the parties.
2. By this Interim Application, the Applicant seeks relaxation of the condition in particular Clause (i) of paragraph 12 of the order dated 1st July 2024. The condition of which relaxation is sought reads thus:

(i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties, of which one being local surety in the like amount;"

3. The Applicant was granted bail vide order dated 1st July 2024. Despite Bail being granted, the Applicant was unable to furnish surety as directed by this Court. Considering that the Applicant was unable to furnish surety as directed by this Court, the Applicant has filed the aforesaid Application seeking modification/relaxation of the condition as stated aforesaid, through the Legal Services Authorities.

4. We interacted with the Applicant through Video Conferencing. He disclosed that he does not have the economic capacity to furnish surety as directed by this Court.

5. The District Legal Services Authority, Palghar was also directed to submit a report to this Court disclosing the economic capacity of the Applicant. Accordingly, the Secretary, District Legal Services Authority, Palghar has submitted a report. From the said report, it is evident that financially, the Applicant is not in a position to furnish surety. To the report is also annexed a photograph of the house, where the Applicant resides. The Applicant's poor economic condition is also evident from the photograph of his house, which is merely a hutment with tin sheets.

6. Considering the aforesaid, the Application is allowed.

7. Accordingly, Clause (i) as stated aforesaid is modified/ relaxed. The said clause shall now read as under:

“The Applicant be enlarged on bail on furnishing a P. R. Bond in the sum of Rs.5,000/- with one or two surety of like amount. To enable the Applicant to furnish fresh surety as stated aforesaid, the Applicant be released on Personal Bond of Rs.5,000/- for a period of two months. Within the said period, the Applicant to furnish surety as directed.

8. Application is allowed and stands disposed of on the aforesaid terms.

9. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J.)

(REVATI MOHITE DERE, J.)