

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.29 OF 2025

Imran Muhammad Hanif Khan @ Imran Kaliya .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Rajendra Rathod a/w. Mr. Umar Dalvi, Mr. Siraj Modssir Ansari, Advocates for Applicant.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2025

P.C.:

- 1.** Mentioned out of turn at the time of rising.
- 2.** Heard Mr. Rathod, learned Advocate for Applicant.
- 3.** Application seeks extension of time for furnishing the surety which was granted while enlarging Applicant on bail in order dated 06.08.2024 passed by the Sessions Court in Criminal Bail Application No.1780 of 2024. The order is appended at page No.21, Exhibit-B to the Application.
- 4.** Mr. Rathod has drawn my attention to the operative part of the order and more specifically conditions Nos.2 and 3. He would submit that condition No.3 has been partly complied with. He would persuade the Court to extend the time in condition No.3 which has lapsed. He would submit that he moved an Application before learned Sessions Court for the said relief but it was dismissed by order dated

19.10.2024. Hence he is before the Court.

5. Considering the grant of bail to the Applicant and reasons stated in the bail order and also, grant of provisional cash bail order to the Applicant there can be no impediment to allow the present Application in view of the grounds stated in the Application.

6. Time and again it has been observed by the Court that for some reason or the other, it becomes difficult for Applicant's enlarged on bail to produce the desired and requisite sureties. This Court is also faced with instances wherein Applicants are unable to furnish sureties and they remain languishing in bail for more than 5 to 6 months despite passing of the bail order.

7. In view of my above observations Application deserves to be considered otherwise the entire ethos of granting bail would serve no purpose. Applicant has stated in the Application that there was a medical condition in the family as also, personal difficulty which precluded him from furnishing the desired and requisite sureties. The said reason is considered by the Court.

8. Applicant is permitted to furnish the sureties within a further extended period of four weeks from today. If Applicant furnishes the sureties within a period of four weeks from today, the same shall be accepted by the Trial Court / concerned Court.

9. The order dated 19.10.2024 rejecting Miscellaneous Application No.1958 of 2024 stands quashed and set aside. The order of bail dated 06.08.2024 shall stand modified to the above extent and this order shall be read alongwith order dated 06.08.2024.

10. Application No.29 of 2025 is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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