

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 979 OF 2025
IN
CRIMINAL BAIL APPLICATION NO. 4304 OF 2024**

Shabina @ Sana @ Aanam Shafiq Shaikh	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

-
- Mr. Tukaram Shendge, Advocate for Applicant appointed through Legal Aid.
 - Ms. Rajeshree V. Newton, APP for Respondent – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 28, 2025.

P.C.:

- 1.** Heard Mr. Shendge, learned appointed Advocate for Applicant and Ms. Newton, learned APP for Respondent – State.
- 2.** Present Interim Application seeks modification of bail condition No. 6(A) of the order dated 21.11.2024. It is an irony that Applicant who is incarcerated for more than 8 and ½ years was granted bail on 21.11.2024, but she still languishing in jail.
- 3.** Present Application was mentioned before me on 27.03.2025 i.e. yesterday, it is listed on board today for orders.
- 4.** The entire ethos and essence of granting bail is lost completely. If the Applicant/under-trial accused who is released on

bail remains languishing in prison for months together even after passing of the bail order. Applicant before me is a woman. The Court has considered her case on merits as also observed that trial was nearing completion.

5. I have perused the Interim Application. Application is considered by the Court and after hearing the learned Advocate for Applicant, it is *prima facie* seen that the Applicant who is a woman is completely helpless and through her Advocate has made a request to the Court that she is unable to arrange any surety nor there is any person to look after her or her case.

6. In the Application, she has stated that she be released on P.R. Bond or minimum cash bail so as to enable her to arrange and make compliance of the bail order.

7. On overall consideration of the Applicant's case and on hearing Mr. Shendge, learned appointed Advocate for Applicant through Legal Aid, the Application deserves to be allowed. Bail condition No. 6(A) of the order dated 21.11.2024 therefore stands modified as under:-

“6. ...

(A) The Applicant shall be released on bail in connection with FIR No.345 of 2016 dated 23.06.2016 registered with Malwani Police Station, Mumbai, on furnishing P.R. Bond of Rs.5,000/- to the Trial Court.”

8. The condition of payment of any amount for the P.R. Bond or one or two sureties in the like amount in the order dated 21.11.2024 stands dispensed.

9. Registry/Department of this Court shall follow the implementation of this order and accordingly apprise the Court of the same.

10. Fees of the learned Advocate Mr. Shendge, appointed through the Legal Aid to represent and espouse the cause of Applicant shall be released by the Registry of this Court within a period of one week from the date of presentation of a server copy of this order on compliance.

11. With the above modification, Interim Application is allowed and disposed.

[MILIND N. JADHAV, J.]

Ajay

AJAY
TRAMBAK
UGALMUGALE

Digitally signed
by AJAY
TRAMBAK
UGALMUGALE
Date: 2025.03.29
10:34:16 +0530