

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3686 OF 2025
IN
BAIL APPLICATION NO. 983 OF 2024**

Sultan Abdul Kadar Karegal ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Adwait Tamhankari *i/b Lochan Chandka, for the Applicant.*
Ms. Anamika Malhotra, *APP for the State-Respondent.*

CORAM Dr. Neela Gokhale, J.
DATED: 28th November 2025

PC:-

1. By way of this Application, the Applicant seeks modification of condition (ii) of paragraph 9 of the order dated 30th August 2024. The condition (ii) of paragraph 9 reads as thus:

“(ii) The applicant shall attend the office of the Anti Narcotics Cell, Mira-Bhayandar, Vasai-Virar, on first Monday of every month between 10:00 a.m. and 12:00 noon, during the pendency of the trial.”

2. Mr. Adwait Tambhankar, learned counsel for the Applicant, submits that the Applicant is a daily wage laborer

and earns a meagre income. He submits that the Applicant loses a days' wages in travelling to the police station on the first Monday of every month. He is also required to spend money on the travel out of the already meagre daily wages that he earns. The Applicant has regularly attended the police station for the past more than 2 years and has never contravened any condition of bail till date. However, even after two years only the charge has been framed and recording of evidence has not commenced. Mr. Tamhankar thus, submits that the Application deserves to be allowed.

3. Ms. Anamika Malhotra, learned APP, raises a strong objection to this on the ground that there will be no track of the Applicant's whereabouts if the said condition is relaxed. She, however, submits that instead of first Monday of every month, the Applicant may attend the police station on every Saturday to avoid the loss of a working day.

4. I have heard learned counsel appearing for the respective parties and perused the record with their assistance.

5. Admittedly, the trial is ongoing for the past two years, and the Applicant has complied with all the conditions of the bail order till date. Considering his occupation as a daily laborer, there is merit in the submission of Mr. Tamhankar that the Applicant loses a working day and is also required to spend money on the traveling arrangements, to reach the office of Anti Narcotic Cell, Mira-Bhayandar, Vasai-Virar on the first Monday of every month. The Applicant resides at Mumbra. In my view, the interest of justice will be subserved if the Applicant is directed to attend the police station at Mumbra instead of the Anti Narcotic Cell, Mira-Bhayandar, Vasai-Virar on the first Monday of every month. Thus, condition (ii) of paragraph 9 of the bail order dated 30th August 2024 is modified as under:

“The Applicant shall attend the Mumbra Police Station on first Monday of every month between 10:00 a.m. and 12:00 p.m., during the pendency of the trial.”

6. The Mumbra Police Station shall keep a record of the attendance of the Applicant and report to the Anti Narcotic

Cell, Mira-Bhayandar, Vasai-Virar regarding the attendance of the the Applicant.

7. The Interim Application is partly allowed and is accordingly disposed of.

(Dr. Neela Gokhale, J)