



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(APPP) NO. 1798 OF 2025
IN
CRIMINAL BAIL APPLICATION NO.1158 OF 2024 (D)

Hemraj Chirkut Banait .Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.A.S.Mishrikotkar, counsel for the applicant.
Mr. D.V.Chavhan GP a/b Mr.Anant Ghogare, APP for the State.
Mr.A.V.Muley, counsel to assist the prosecution.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 14/10/2025

1. This is an application filed by the applicant for relaxation of the condition. This Court has granted bail to the applicant on 28.01.2025 with a condition that “*the applicant shall not enter into the vicinity of Saoner, District Nagpur till culmination of the trial.*”

2. Now the applicant has approached this Court stating that he owns agricultural land at Tal. Saoner, District Nagpur. He has purchased new house, which is away from the house of the complainant and as he is having small kids and has to take care of the agricultural land, the condition not to enter into the vicinity of village ‘Saoner’ be relaxed.

3. The learned APP opposed the application stating that village Saoner is very small. He has to go through the house of the complainant. Though he has stated that he has purchased new house, it is the house of his brother. Eye witnesses are there, there is every possibility of tampering of the prosecution witnesses, if he enters the village. Hence, prayed to reject the application.

4. The learned counsel, who is assisting the prosecution has also stated that there is every possibility of tampering of the witnesses as the eye witnesses are staying in the said area and that is the reason, the condition was imposed.

5. Heard the learned counsel appearing for the applicant and the learned APP and learned counsel assisting the prosecution.

6. The applicant is staying away since January 2025 after his release on bail. The reason given by the applicant is to take care of his agricultural land. Considering the gravity of the offence and as the eye witnesses are staying in same village, it is not proper to relax the condition at this stage. Hence, the application stands rejected and disposed of.

JUDGE