



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 389 OF 2026
IN CRIMINAL APPEAL NO. 665 OF 2024

Golu @ Arbaj Khan Ajgar Khan,
Age 26, Occ – Student,
R/o Kawade Nagar, Bhusawal,
Taluka Bhusawal, District Jalgaon.

... Applicant

Versus

1. The State of Maharashtra,
2. Hansraj Ravindra Kharat,
Age – 20, Occ – Education,
R/o Samta Nagar, Near Railway Station,
Bhusawal, Taluka Bhusawal,
District Jalgaon.

... Respondents

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Mr. Shaikh Nasimoddin Rafiyoddin, Advocate for the Applicant.

Mr. N. S. Tekale, APP for Respondent No.1-State.

Mr. Navin Shah, Advocate for Respondent No.2 (appointed)

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 06.04.2026

Pronounced on : 07.04.2026

ORDER :

1. Present application is for modification of condition imposed by this Court, i.e. not to enter Bhusawal town till conclusion of trial.
2. Learned counsel submitted that applicant was a young boy of 18 to 19 years of age. That, he was implicated in crime no. 222 of 2019 registered at Bhusawal City Police Station. That, in fact, he was impleaded merely because he was seen at the scene of occurrence.

That, this Court had granted him bail by order dated 07.10.2024 and said order is on merits. However, while granting bail, this Court had imposed condition like not entering Bhusawal town till conclusion of trial.

3. It is further submitted that applicant is the only earning member of the family. That, his brother was murdered and therefore there is no other male person to look after the family, including old aged parents. That, there are no criminal antecedents. That, much time has lapsed since grant of bail and trial is also not about to conclude in near future. For above reasons, he prays to relax the said condition.

4. Learned APP as well as learned counsel appointed to represent the complainant, have both strongly opposed on the ground that applicant is accused in serious offence. Learned APP pointed out that, there is Section 120-B of IPC and therefore submissions that he was merely present, has no force. That, there are several crimes registered against the applicant and for above reasons, application is opposed.

5. Heard. Perused the papers. Present application is for relaxation of condition imposed by this Court by order dated 07.10.2024. It appears that, crime bearing 222/2019 was registered at Bhusawal

City Police Station for offences under Sections 302, 307, 120-B, 397 r/w 34 of IPC. There are also offences under provisions of Arms Act as well as the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. This court seems to have granted bail, but by imposing conditions including, 'not to enter Bhusawal town till conclusion of trial'.

6. Relaxation is now sought on the ground that applicant was merely present on the scene of occurrence and no overt act is attributed to him. However, this is the matter of trial and merits cannot be gone into at this stage. Though there is application for relaxation of condition on the ground that there is no other elder member, learned APP has pointed out that there are several crimes registered against him.

7. Therefore, taking the same into consideration and no good ground being put forth for relaxing the condition, the following order is passed :

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]