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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3067 OF 2026
IN
BAIL APPLICATION NO. 77 OF 2024

Avinash Nivrutti Bhosale .. Applicant

Versus

Directorate of Enforcement & Anr. .. Respondents

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- Mr. Aabad Ponda, Senior Advocate a/w Mr. Aditya Mehta, Mr. Abinash Pradhan & Mr. Yash Dedhia i/by Wadia Ghandy & Co., Advocates for Applicant
- Mr. Prashant Mishra, Special Counsel a/w Mr. Bharat Jadhav, Ms. Purva Birla, Ms. Shruti Chande, Mr. Krish Kariya, Mr. Akshun Thakur, Ms. Tisha Thakkar & Mr. Ketan Gavhane, Advocates for Respondent No. 1
- Ms. Rajeshree V. Newton, APP for State

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 5, 2026

P. C.:

**1.** Heard Mr. Ponda, learned Senior Advocate for Applicant; Mr. Mishra, learned Special Counsel for Respondent No. 1 and Ms. Newton, learned APP for State.

**2.** Present Interim Application is field for seeking relaxation of the bail conditions 26(C) and 26(D) in the order dated 28.08.2026 passed in Bail Application No. 77 of 2024, copy of which is appended at page Nos. 53-69 of Application.

**3.** Insofar as condition No. 26(C) is concerned, I *prima facie* do not agree with the said condition considering several such orders passed by this Court regarding the issue of surrendering passport. Said condition stands immediately deleted.

**4.** The decisions of this Court in the cases of ***Mohammad Hanif Nurani Vs. the State of Maharashtra and Anr.***[1] and ***Kirti Vishwanath Kedia Vs. Central Bureau of Investigation (EOB) and Anr.***[2] squarely cover the aforesaid request made by Applicant. I cannot take any digressing view in the present matter and therefore the said condition No.26(C) is deleted / cancelled and / or been scaled down to the effect that whenever Applicant has to travel abroad he will report or give the details of the itinerary, with detail address, with details of his stay abroad and return to the prosecution / CBI before he travels and leaves the country. If there is any change in his mobile phone numbers or address while being abroad, he shall furnish those details also on email to the concerned IO.

**5.** In that view of the matter, needless to state that his passport shall be forthwith returned back to him by the Court / Authority on the basis of a certified copy of this order downloaded from the Bombay High Court website.

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1 Criminal Application No.434 of 2024 decided on 05.02.2025.
2 ABA No.960 of 2022 decided on 22.08.2025.

**6.** Insofar as condition No. 26(D) is concerned, the same stands deleted with a caveat that Applicant is directed to file undertaking to this Court within a period of two weeks from today that he shall ensure presence of his Advocate on every date of hearing before the Trial Court. In that view of the matter, it is clarified that Applicant's presence shall stands exempted. However, it is clarified that if the Trial Court desires to procure and secure the presence of Applicant for any particular reason on any particular date, then Trial Court shall pass appropriate orders for securing presence of the Applicant on that particular date. Applicant shall ensure that he shall be duly represented by his Advocate and / or Counsel before the Trial Court.

**7.** This order shall be read along with order dated 28.08.2024 passed in Bail Application No. 77 of 2024.

**8.** With the above direction, Interim Application is allowed and disposed.

[ MILIND N. JADHAV, J. ]

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RAVINDRA MOHAN AMBERKAR

Digitally signed by RAVINDRA MOHAN AMBERKAR
Date: 2026.10.05 15:45:23 +0530