

M.Cr.C. No. 820/2014

30.04.2014

Shri, R.S. Kushwah, Advocate for the petitioner.

Shri Praveen Newaskar, Public Prosecutor for the respondent/State.

This petition under section 482 of Cr.P.C. seeks deletion of condition No. 7 subject to which the petitioner had been enlarged on bail vide order dated 13.05.2013 in MCRC No. 1958/2013.

The condition No. 7 read as follow :-

"The applicant will mark his attendance at the concerned trial Court once in a week."

Learned counsel for the petitioner showing his bonafide has filed the order sheets of the trial court of various dates right from 09.12.2013 till 25.02.2014 to demonstrate that the petitioner has been marking his presence before the trial court once every week.

Perusal of record comprising of order sheets of trial court indicates that submission of learned counsel for the petitioner is correct.

The petitioner has shown his bonafide and, therefore, is entitled to relaxation in condition No. 7 but not to deletion of the said condition.

Accordingly, this petition stands partly allowed and the order of enlargement of bail dated 13.05.2013 passed in MCRC No. 1958/2013 is modified to the extent of substituting condition No. 7 with the following condition :-

"7. The applicant will mark his attendance before the concerning trial court once every month."

This order be read in conjunction with order dated 13.05.2013 passed in MCRC No. 1958/2013.

A copy of this order be sent to the court concerned for necessary compliance.

CC as per rules.

**(Sheel Nagu)
Judge**