

MHKO010004962023



Order below Exh. 11 in Sessions Case No. 44 of 2023.

1. The applicant/accused has filed this application for relaxing the condition imposed while granting him bail in Bail Application No. 1186 of 2022.

2. The applicant has contended that C.R. No. 167/2022 for the offence punishable under Sections 376, 376 (2) (n), 377 of the IPC is registered against him in Kodoli Police Station, Kolhapur. His bail application is granted and condition was imposed that (i) The applicant shall not enter in the village/vicinity wherein victim/complainant is residing and shall not enter into the village/vicinity wherein the victim is working till final disposal of this case. The applicant has contended that for the medical treatment of his family members and for running his business his presence in his house is very much required. Hence, he prayed for relaxing the above said condition.

3. Learned A.P.P. given say on the application itself and has strongly objected the application and prayed for rejection of the application.

4. Original complainant appeared in the court and filed her affidavit at Exh. 12 and has given no objection to relax the

condition.

5. On perusal of the application, say of the APP, say of the original complainant and the documents on record it is clear that since the date of order the applicant/accused is obeying the condition. Much period is lapsed. Complainant has given her no objection to relax the condition. The application therefore needs to be allowed. Hence the following order.

ORDER.

1. Application is allowed.
2. Condition in clause No. (i) i.e. The applicant shall not enter in the village/vicinity wherein victim / complainant is residing and shall not enter into the village/vicinity wherein the victim is working till final disposal of this case, imposed against the applicant/accused, as per order in bail application Nos. 1186 of 2022 dated 26.12.2022 is hereby relaxed.

Date :5.6.2023.

(**P. F. Sayyad**)
Additional Sessions Judge,
Kolhapur.