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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.732 OF 2015
IN
CRIMINAL APPEAL NO.425 OF 2013.

Ganesh Hanumant Ghuge
V/s.

... Applicant.

The State of Maharashtra

.... Respondent.

Mr. D. G. Khamkar, for the applicant.

Mr. H. J. Dedia, APP for the Respondent-State.

CORAM : SMT. V.K. TAHILRAMANI ACTING CJ &
DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 18th DECEMBER, 2015.

P.C. :

1. The applicant has preferred this application seeking temporary bail of three months to get treatment in the private Ayurvedic Hospital.

2. The learned APP pointed out that this year. When the applicant was released on parole, he committed an offence which is

registered at Foujdar Chowdy Police Station, Solapur City vide C.R.No.62 of 2015. He pointed out that offence in the said case is serious. They are under Sections 364, 364(A), 394, 504, 506 read with 34 of the Indian penal Code. Mr. Khamkar submitted that no material was found against the applicant in this case i.e. C.R. 62 of 205, hence no chargesheet was filed in the said case. The learned APP further pointed out that said case was investigated and thereafter a chargesheet was filed by Foujdar Chowdy Police Station, Solapur City on 15.12.2015, before learned Judicial Magistrate First Class, Court No.8, Solapur, vide R.C.C. No.1091 of 2015. The learned APP further pointed out that the application filed by applicant for bail in the said case before learned Additional Sessions Judge has been rejected. This shows that the applicant is prima facie involved in the offence under Section 364(A), 394, 506, 506 read with 34 of Indian Penal Code.

3. Thus, we are of the opinion that if temporary bail is granted to the applicant, he will misuse the same. Moreover, the medical papers of the applicant show that he does not require surgery at present. In this view of the matter, we are not inclined to grant prayer of the applicant. Needless to say that the Prison Authorities will provide all necessary

medical treatment to the applicant including admitting the applicant in Hospital, for surgery, if found necessary.

4. Application is disposed of in above terms.

[ACTING CHIEF JUSTICE.]

[DR. SHALINI PHANSALKAR-JOSHI, J.]

CERTIFICATE

Certified to be true and correct copy of the original signed order.