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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 134 OF 2016

IN

CRIMINAL APPLICATION NO. 1353 OF 2016

IN

CRIMINAL APPEAL NO. 913 OF 2013

Suhas Mahadeo Roge

.. Applicant

V/s.

State of Maharashtra `

.. Respondent.

Mr. Rajiv Patil, Sr. Advocate a/w Mr.B.G. Tangsali i/by Mr. S.S. Musale for the applicant.

Mr. K.V. Saste, APP for respondent-State.

CORAM : RANJIT MORE AND

V.L.ACHLIYA, JJ.

DATED : FEBRUARY 08, 2016

P.C. :-

1. Heard Mr. Rajiv Patil, Sr. Advocate for the applicant and learned APP for the State.
2. This application is taken out for extension of period of temporary bail granted under order dated 1st December, 2015 on the grounds set out in detail in the application.
3. The applicant is convicted for the offence punishable under section 302 read with section 120B of Indian Penal Code by the Sessions Court and his appeal bearing Appeal No. 913 of 2013 is now pending for admission and final disposal. During the trial, the applicant was not on bail. The applicant preferred Criminal Application No. 1353. of 2015 for temporary bail on medical grounds. By an order dated 1st December,

2015 the Division Bench of this Court passed order to release the applicant on temporary bail for the period of eight weeks. This period has expired on 3rd February, 2016. However, by an ad interim order, passed in this application, we have extended the temporary bail till today.

4. The present application is filed on the ground that the applicant has to undergo two more operations. Last time we have directed the learned APP to take appropriate instructions from the concerned department. The learned APP accordingly placed on record the certificate dated 4th February, 2016 issued by the Medical Officer, St. George Hospital along with medical papers of the applicant which supports the case of the applicant that he has to undergo two more operations.

5. Mr. Patil, learned counsel submits that out of two operations, the applicant has to undergo the first operation on 9th February, 2016. After expiry of the period of three weeks thereafter, the second operation will be performed. This statement is not seriously objected by the learned APP.

6. In the circumstances, we extend the period of temporary bail granted earlier in continuation till 31st March, 2016 on the same terms and conditions. The application is disposed of accordingly.

(V.L.ACHLIYA, J.)

(RANJIT MORE, J.)