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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1420 OF 2015**

Chandrashekhar Bhaurao Rane	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Pooja Singh i/b Mr.A.M.Saraogi, for the Applicant

Mr.J.H.Ramagude, A.P.P for the Respondent-State

PSI – S.B.Munde, Upnagar Police Station, Nashik.

***CORAM : REVATI MOHITE DERE, J.
DATE : 7th APRIL, 2016***

P.C. :

1. By this application the applicant seeks temporary bail for a period of 40 days on the ground that his mother has to undergo a surgery.

2. Learned Counsel for the applicant states that the applicant's mother has been advised to undergo a surgery and that there is no other member in the family to look after her. She submitted that the relations between the applicant's mother and his brother are strained, that his brother is living separately and is unable to look after the mother. She relied on the certificate dated 28th May, 2015, issued by Dr.M.A.Shaikh, which is on

page 42A of the application, in support of her submission. She submitted that the in the said certificate it is disclosed that the applicant's mother is suffering from Fibroids and dysfunctional uterine bleeding (D.U.S.) and have been advised removal of uterus. It is stated that in the past the applicant's mother was operated for MCA Aneurysm in brain, in the Bombay Hospital in the year 2000.

3. Learned APP opposed the application. He submitted that the said certificate is not issued by a Gynecologist, but the same has been issued by a Physician and Surgeon. He submitted that although the applicant's mother is a resident of Nashik, the certificate issued is of Mumbai. He has produced a statement of Dr.Kiran B. Kumawat who is treating the applicant's mother for Thyroid.

4. Perused the papers. The said application seeking temporary bail was filed in July 2015. The statement of Dr.Kiran B. Kumawat, who is treating the applicant's mother at Nashik reveals that he is treating the applicant's mother for Thyroid and he has never advised any such operation. He has also stated that for the thyroid treatment, which he is

giving to the applicant's mother, no such surgery is required.

5. Perused the papers. The certificate issued by Dr.M.A.Shaikh is issued in the year May, 2015. There is no recent certificate produced to show the medical condition of the applicant's mother. The applicant's mother is a resident of Nashik. It is also unclear, why the applicant's mother has been examined by a physician and surgeon in Mumbai and not by a Gynecologist. Considering the aforesaid, the applicant's application for temporary bail does not require any consideration at this stage. However, if any need arises in future, the same shall be considered at that stage.

6. Hence, the Application is rejected and disposed of as such.

REVATI MOHITE DERE, J.