

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Amk

CRIMINAL BAIL APPLICATION NO. 1641 OF 2015

Vikram Haribhau Bhosale

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Swapnil Ovalekar for the Applicant.

Mr. D. P. Adsul, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 25th JANUARY, 2016.

P. C. :

1. This is an application for bail received through jail from the aforesaid applicant who is facing trial in MCOCA Case No. 1/2012 pending on the file of Sessions Court, Alibag for the offence punishable under Sections 396, 397, 120(B), 201, 412 of the Indian Penal Code read with Section 3(1)(II), 3(2), 3(4) of the MCOC Act.

2. The applicant has sought bail mainly on medical grounds. The report was called for. A perusal of the report indicates that the applicant is suffering from chronic obstructive pulmonary disease with bronchitis asthma and weakness due to old age. The report

further indicates that the applicant was treated in NMMC Hospital, Vashi as well as J. J. Hospital, Mumbai since 2013. It is further stated that the applicant is complaining of fever and that he is being treated for the said ailments by Chief Medical Officer of Talaja Central Prison, Navi Mumbai. The applicant would be referred to the Government Hospital as and when required. The report, therefore, clearly indicates that the applicant is given proper treatment in the jail. Hence no case is made out for bail on the ground of sickness.

3. The learned APP states that the applicant is also involved in C.R. 39/15 of Shrigonda Police Station for the offence punishable under Sections 420, 395 of the Indian Penal Code. The criminal antecedent of the applicant as well as the nature of the offence allegedly committed by the applicant do not justify grant of bail. Hence the application is dismissed.

4. Copy of the order be forwarded to the applicant.

(ANUJA PRABHUDESSAI, J.)