

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1889 OF 2015

Sanjay Pralhad Lakhan	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Jayant J. Bardeskar, Adv. for the applicant.
Mrs. R.V. Newton, APP for the State.

CORAM : SMT ANUJA PRABHUDESSAI, J.
DATE : 20th January, 2016.

P.C. :

1. The applicant herein had sought bail on medical grounds. During the pendency of the application, the applicant was admitted in Aster Aadhar Hospital, Kolhapur and he has been operated. Mr. Bardeskar, the learned counsel for the applicant has submitted that the applicant is likely to be discharged against the medical advise. Needless to state that the applicant is entitled for proper medical treatment and he shall not be discharged from the hospital against the medical advise.

2. Since the applicant has already been treated for ailment complained, I do not wish to exercise any discretion under Section 439 of the Cr.P.C. Under the circumstances, the application is

dismissed with liberty to the applicant to file a fresh bail application on medical ground in case the condition of the applicant deteriorates or he requires further medical treatment. The learned Sessions Judge shall decide the said application on its own merits without being influenced by the observations made in the above order.

3. The application stands dispose of accordingly.

(ANUJA PRABHUDESSAI, J.)