

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO.156/2016

Sandip s/o Dnyaneshwar Thamke ..vs.. State of Maharashtra through PSO
Hinganghat, Dist. Wardha

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Mahesh Rai, Advocate for applicant.
Mr. N. W. Jawade, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATE : APRIL 15, 2016

This is the second attempt on behalf of the applicant for bail. The applicant is facing prosecution for the offence punishable under Section 302 read with Section 34 of the IPC, registered with Police Station, Hinganghat, Dist. Wardha. On 14.10.2015 when this Court was about to dismiss this application on its merit, the applicant prayed for withdrawal of the said application. Thus, the case of applicant was considered on merit by this Court.

By moving the present application, the applicant is claiming to be released on bail on medical ground. The counsel for the applicant did not press the application on merit. He submits that the applicant's son Soham, aged about 4 years is suffering from PUI i.e. Pyrexia of Unknown Origin and for that he has annexed a certificate of M.B.B.S. doctor dated 10.02.2016, which shows that the child Soham was advised to have rest from 10.01.2016 to 10.02.2016.

Besides this, the certificate nowhere mentions about the nature of the disease which the son of the present applicant is suffering. Further, there is nothing on record to show about the exact nature of this disease. Merely by filing the said certificate, the applicant cannot be released on medical ground.

In view of above, the present application is rejected.

JUDGE