

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO.498 OF 2015

(Wajidkhan s/o Wahidkhan ..vs.. The State of Maharashtra, through PSO, Akot File PS, District Akola)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.
DATED : 25-02-2016

Heard Shri A.S. Mardikar, learned Senior Advocate assisted by Shri S.G. Joshi, Advocate for the applicant and Shri S.S. Doifode, learned Additional Public Prosecutor for the non-applicant.

2. Though the learned Additional Public Prosecutor has disputed the claim of the applicant regarding his ailment, it is a matter of record that the applicant is required to be granted temporary bail repeatedly to enable him to avail treatment. Today the learned Senior Advocate has placed draft copy of the case record of the applicant supplied by the Grant Government Medical College & Sir JJ Group of Hospitals, Mumbai, which shows that the applicant is advised to undergo neurosurgery and he is given appointment for 19-05-2016 at 9.30 a.m. The learned Additional Public prosecutor has placed on the record copy of communication issued by the Senior Medical Officer, Government Medical College and Super Speciality Hospital, Nagpur on 22-12-2015 stating that the facility

of treatment which is required to be given to the applicant is not available at Nagpur and the applicant should be referred to JJ Hospital, Mumbai.

3. Considering the above facts, I am inclined to grant the prayer made by the applicant in the application.

4. Hence, the following order :

- i) The applicant having been arrested in Crime No.88/2014 registered by the non-applicant, he be released on bail, on furnishing P.R. Bond in the sum of Rs.20,000/- and one solvent surety in the like amount.
- ii) The applicant shall submit his Passport to the Investigating Officer immediately. If the Passport Authority has not issued passport in favour of the applicant, an affidavit to that effect should be filed.
- iii) The application is allowed accordingly.

JUDGE