

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 356 OF 2017

IN

CRIMINAL APPEAL NO. 514 OF 2013

Santosh Baban Parge

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Ms. Ameeta Kuttikrishnan, Advocate for the applicant.

Mr. H.J. Dedhia, APP for respondent, State.

CORAM :-

**SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE :-

11th JULY, 2017.

P.C. :-

1. Heard both sides.
2. This application has been preferred by original accused no.2, Santosh Parge for bail on medical grounds.

3. In view of the fact that, it is the case of the applicant that he is suffering from paralysis and other medical problems, we had called for detailed medical report dated 2nd July, 2017 alongwith annexures, which is handed over by the Learned APP. It is taken on record and marked 'X' collectively for identification. The medical report shows that, the applicant is not able to walk without support. He was operated for Laminectomy in Sasoon Hospital, Pune but even after the operation, he is suffering from persistent post-operative weakness with tingling and numbness in upper and lower limbs. It is stated that, the applicant has not responded to conservative medical treatment and there is permanent and persistent weakness with tingling and numbness with loss of touch and loss of sensation and upper and lower extremities. There is permanent damage to related nerves and there are very less chances of recovery. The medical report, clearly states that, at present, the applicant has permanent physical disability and he has become handicapped. He is unable to walk without

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support and he requires constant nursing. In view of the medical certificate and the accompanying papers, we are inclined to grant bail to the applicant on medical grounds. Hence, the following order :

O R D E R

(i). The applicant be released on bail in the sum of Rs.40,000/- (Rs. Forty Thousand only) with one/or two sureties to make up the said amount and P.R. Bond of like amount.

(ii). The application is allowed in above terms.

(SANDEEP K. SHINDE, J) (SMT. V.K. TAHILRAMANI, J)