

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 550 OF 2016

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CRIMINAL APPEAL NO.115 OF 2016

Vijay @ Viju Ramesh Ippar

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. A.B.Avhad for the Applicant.

Ms. S.D.Shinde, APP for the Respondent/State.

CORAM : RANJIT MORE &

SMT. ANUJA PRABHUDESSAI,JJ.

DATED : 13th APRIL, 2017.

P.C.

1. Mr. Avhad, the learned Counsel for the Applicant, at the outset having taken instructions from the client makes a statement that he does not press the bail application on merits but he is restricting the applicant's prayer for temporary bail on medical ground.

2. The temporary bail on medical ground is claimed on the ground that the applicant, while in Nashik Road Central Prison, was attacked by the other inmates of the jail, which resulted into head injury and

thereafter he was required to be shifted to J.J.Hospital.

3. The learned APP submits that the said incident of assault on the applicant, is of 15th October, 2013. He has been treated in J.J.Hospital and is presently in Nashik Road Central Prison. She states that the applicant's physical condition is stable and medical treatment is not required. In support of her submission she has placed on record the report of the Chief Medical Officer of Nashik Road Central Prison, dated 3rd April, 2017. We have gone through the same. The report supports her submission. The report further reveals that the applicant was given treatment from time to time. The learned APP, on instructions, states that if required, the applicant would be given medical treatment at Nashik Road Central Prison, and if necessary he will be taken to J.J.Hospital also.

4. In the above circumstances, we are of the opinion that no case for temporary bail is made out. The application is rejected.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)