

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 898 OF 2017
IN
CRIMINAL APPEAL NO. 22 OF 2017**

Vishnu Bhaskar Mantri	...Applicant
Versus	
Union of India & Anr.	...Respondents

Mr. S. R. Page for the Applicant

Mr. Sandesh D. Patil for the Respondent No.1-UOI

Mr. S. R. Agarkar, A.P.P for the Respondent No.2-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 11th JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks temporary bail for a period of four months to enable him to get appropriate treatment at a hospital of his choice. Learned Counsel for the applicant submits that the applicant is aged 71 years and that his condition is critical. He submits that the applicant is a severe diabetic patient and is suffering from peripheral neuropathy and has a charcot foot. He submits that the applicant is unable to stand and walk freely and requires support. He further submits that the

possibility of applicant's toes/foot being amputated, cannot be ruled out. He submits that the applicant was under treatment of a doctor at Fortis Hospital, Mumbai and that applicant requires urgent medical care. The applicant has relied on the medical case papers and also on the photographs.

3. Learned A.P.P and the learned Counsel for the intervener does not dispute the medical condition of the applicant.

4. In the peculiar facts of the case and considering the medical condition of the applicant, which is undisputed, the applicant is granted temporary bail for a period of four months to enable him to take treatment at a hospital of his choice. Accordingly, the application is allowed and the applicant is granted temporary bail for four months, on the following terms and conditions :

ORDER

(i) In the event of arrest, the applicant be released on cash bail in the sum of Rs.10,000/-, for a period of three weeks. The applicant shall thereafter furnish P.R. Bond of Rs.10,000/- with

one or two sureties in the like amount, within a period of three weeks of his release on cash bail;

(ii) The applicant is granted liberty to file fresh application, if the need so arise.

5. The application is allowed in the aforesaid terms and is accordingly disposed of.

6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.