

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

**CRIMINAL APPLICATION NO.434 OF 2018
IN
CRIMINAL APPEAL NO.186 OF 2012**

Santosh Laxman Jangam	.. Applicant
V/s.	
The State of Maharashtra	.. Respondent

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Mr.Santosh S. Musale, Advocate for the Applicant.
Mr.J.P. Yagnik, APP for Respondent – State.

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**CORAM : S.C. DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.**

DATED : MARCH 19, 2018.

P.C. :

This was an application for temporary bail/release and after the applicant stated that he was unable to surrender on completion of the parole.

2 It is common ground that the applicant was released on parole from custody as a convict and lodged at Kolhapur Central Jail, Kalamba, District Kolhapur from 22nd February, 2018 till 2nd March, 2018.

3 He did not surrender to custody on the stated date and time.

4 He says that a day prior, namely, on 1st March, 2018, while in the city of Mumbai he met with an accident. He was taken to the KEM Hospital which is Municipal Hospital in the city of Mumbai and treated rather operated for his injury. That is why he could not surrender on the given date and time. He, therefore, seeks an interim bail for a period of 16 weeks.

5 This application was placed today particularly at 3:00 p.m. to enable the prosecution to make a statement. That was with regard to the correctness, genuineness and bonafides of this application based on the contents thereof.

6 Today the applicant's advocate on instructions states that the applicant has been discharged from the hospital on 9th March, 2018. He was called today for removal of sutures. Mr.Yagnik, learned APP states that the investigating officer has requested the concerned local police station to depute a representative to visit KEM hospital to find out whether the

applicant has indeed gone their in terms of his prior appointment. Till 2:00 p.m. the applicant had not reported to KEM Hospital. In these circumstances, when we are not convinced with the bonafides of the applicant's request particularly after he was released on parole, on account of his father's death, the applicant's counsel seeks leave to withdraw this application. Leave is granted. Application is dismissed as withdrawn.

7 The applicant shall now face all the consequences for not having returned to the prison on 2nd March, 2018.

(PRAKASH D. NAIK, J.) (S.C. DHARMADHIKARI, J.)