

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

BAIL APPLICATION NO.1130 OF 2018

Shivaji Ajay Singh		Applicant
<u>Vs.</u>		
The State of Maharashtra		Respondent

Mr. Rushit P. Thakkar I/by Ms. Mallika Ajay Ingale for the Applicant.
Mr. Ajay Patil, APP for the State.

Mr. Anil Avhad, PI, C.P. Office present

Coram : Smt. Sadhana S. Jadhav, J.
Date : 4th October, 2018

P.C.:

1 This is a subsequent application seeking enlargement on bail initially on medical ground as the earlier application was rejected on merits vide order dated 3rd February 2017.

2 It is the case of the applicant that he has diagnosed with tuberculosis and therefore he prayed for bail. This Court has called for his medical reports. Learned APP has placed on record the medical reports and it is specifically stated that initially i.e. in the

year 2016, the applicant herein was rather diagnosed with Pulmonary tuberculosis. He was treated as an indoor patient from 10th October 2016 to 9th April 2017. Thereafter for the purpose of review the applicant was sent again on 10th August 2018. The report is received on 25th August 2018 and the conclusion is “Neg. for AFD”. He was subjected to X-ray examination and has been diagnosed with bronchitis and has been treated for the same.

3 Learned APP submits that as on today the trial has been commenced and two witnesses have been examined by the prosecution. In view of this, it would be appropriate to consider the application under Section 439 of Cr.P.C. However, the trial stands expedited.

4 The Bail Application is disposed of.

(Smt. Sadhana S. Jadhav, J)