

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.780 OF 2018

IN

CRIMINAL APPEAL NO.323 OF 2014

Mahesh Vijay Majgaonkar ... Applicant
V/s.

The State of Maharashtra ... Respondent

.....

Ms.Nasreen S.K.Ayubi, Advocate for the Applicant.

Mr.A.R.Kapadnis, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 26th JUNE 2018.

P.C. :

1 This is an application for grant of temporary bail for three months to the applicant/accused.

2 Heard Ms.Ayubi, the learned Advocate appointed to represent the appellant/applicant at the cost of the state. She argued that parents of the applicant are old and his father is suffering from paralysis. There is nobody to look after them.

3 The learned Additional Public Prosecutor opposed the application and submits that vide Order dated 21st August 2017 similar such application was already rejected by this Court.

4 I have carefully considered the rival submissions and also perused the record.

5 The applicant/accused has been convicted of the offence punishable under Section 8(C) read with Section 22(b)(ii) (C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 and he has been sentenced to suffer rigorous imprisonment for ten years apart from payment of fine of Rs.1,00,000/-. The document filed along with the instant application shows that father of the applicant had already discharged from the hospital on 19th October 2017. This Court while deciding the earlier application on 21st August 2017 has already held that old age of the parents and arrangement for maintaining aged parents cannot be a ground for temporary bail, as it is not the case of medical emergency. No change in circumstance is pointed out in the instant application.

6 The application is, therefore, rejected.

7 However, hearing of the appeal is expedited. The appeal be included in the list of final hearing of appeal from the week commencing from 9th July 2018.

(A.M.BADAR J.)