

Vidya Amin.

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

CRIMINAL APPLICATION NO. 1199 OF 2018

Bharat Ratan Shirsat ... Applicant

VS.

The State of Maharashtra ... Respondent

Mr. Nitin Sejpal, Advocate for the applicant.

Mr. A.R. Patil, APP for the respondent/State.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 26th November, 2018

P.C. :

Upon mentioning, taken on production board.

2. This Criminal Application is moved against the order dated 24th September, 2018 passed by the learned District Judge-1 and Additional Sessions Judge, Thane in Special A.C.B. Case No. 15 of 2005.

3. The learned counsel for the applicant submitted that the applicant, who is facing prosecution under Anti-Corruption Act, could not remain present as he is suffering from oral cancer. The learned Judge issued NBW and thereafter the applicant appeared before the Court with a prayer that NBW be cancelled. The learned counsel submitted that the learned Judge though have allowed the Application but forfeited the amount of P.R. Bond and

directed to furnish fresh P.R. Bond of Rs.15,000/-. The learned counsel submitted that the applicant shall attend the Court dates except whenever he is unwell or required to go for medical treatment.

4. Learned APP submits to the order of the Court.

5. In view of the submissions made by the learned counsel for the applicant, the order dated 24th September, 2018 passed by the learned District Judge-1 and Additional Sessions Judge, Thane is set aside to the extent of forfeiture of the amount of P.R. Bond. The order of furnishing fresh P.R. Bond of Rs.15,000/- with same surety is hereby maintained. The applicant, if taking medical treatment and is required to go to hospital, shall move an application for exemption on that date or for permanent exemption, which may be considered.

6. It is informed that the amount of Rs.3,000/- is paid towards forfeiture of P.R. Bond. The said amount of Rs.3,000/- is to be refunded to the applicant.

7. Criminal Application is disposed of.

(MRIDULA BHATKAR, J.)