

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2512 OF 2017**

Etaz @ Taj Alahuddin Shaikh. ... Applicant.

V/s.

The Union of Territory of
Daman & Diu & anr. ... Respondents.

Mr. Amin Solkar, Advocate for applicant.

Ms. P.H. Kantharia, advocate for respondent No. 1.

Ms. Veera Shinde, APP for State.

CORAM : SMT. SADHANA S. JADHAV, JJ.

DATE : JUNE 12, 2018.

P. C. :

1 Learned standing Counsel for the Union Territory of Daman and Diu makes a statement that in the present case, trial has commenced. It is also submitted that learned Sessions Judge has sought extension of time for concluding the trial.

2 The learned Counsel for the applicant is seeking bail on the ground of illness of the present applicant. The medical report shows that the applicant was being taken for Physiotherapy, as he had complaint of back ache and other ailment.

Talwalkar

3 It is pertinent to note that these aspects are not brought to the notice of the trial court since the application seeking enlargement on bail on the medical ground is pending before this court since October, 2017.

4 Learned Counsel for the applicant upon instructions seeks liberty to withdraw the application with further liberty to approach Sessions Court and seek medical aid. It is also submitted by the learned Counsel that he would pay for the guards, in the event, he is taken for regular treatment/physiotherapy. The same request can be made to the Sessions Court, who is seized with the matter i.e. Session Case No. 32 of 2016.

5 With these observations, the application stands dismissed as withdrawn. The learned Sessions Court shall make every endeavour to expedite the trial, despite the fact that the extension has been granted.

[SMT. SADHANA S. JADHAV, J.]