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

**CRIMINAL APPLICATION NO. 372 OF 2018
IN
CRIMINAL APPEAL NO. 128 OF 2013**

Maqbul Nazir Hawaldar

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Nitin Sejpal a/w Mr. Vaibhav S. Kulkarni for the Applicant.
Ms. P.P. Shinde, APP for the State.

**CORAM : A.S. OKA &
A.S.GADKARI, J.J.**

DATE : 14th February 2019.

P.C.:

1] Heard the learned counsel for the applicant. Perused the prayer in this application.

2] The prayer is for temporary bail to the applicant considering the health condition of his father.

3] The learned APP has tendered a report dated 11th February 2019 signed by the Inspector of Police, Mahad City Police Station along with a copy of the statement of the father of the applicant recorded by the police which notes that on 29th December 2017, he had undergone a

surgery for fixing pacemaker .

4] Our attention is invited to the Exhibit-A which is which is a letter dated 19th November 2017 on the letterhead of Aditya Nursing Home. A letter is signed by Dr.Aditya M. Mahamankar on the letterhead of Aditya Nursing Home produced before this Court records that the applicant's father has not undergone any treatment in Aditya Nursing Home. The aforesaid report along with its annexures is taken on record and marked “R-1” for identification.

5] Considering the fact that the pacemaker is fixed to the father of the applicant in the year 2017, no case is made out for grant of temporary bail on the medical ground of his father.

6] The Criminal Application is rejected.

(A.S.GADKARI, J.)

(A.S. OKA, J.)