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

***CRIMINAL APPLICATION NO.1189 OF 2019
IN
ANTICIPATORY BAIL APPLICATION NO.768 OF 2015***

Iliyas Beg	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Arun K. Rajput, i/b Ms.Anjali Patil, for the Applicant.

Ms.P.P.Shinde, A.P.P for the Respondent - State.

Mr.Zoheb Shaikh, Malvani Police Station, Mumbai, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 20th SEPTEMBER, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the applicant seeks permission to travel abroad, for a period of 6 months for his medical treatment.
3. Learned Counsel for the applicant states that the applicant met with an accident in July 2019 and has sustained a back bone fracture and is currently undergoing medical treatment. He submits that the applicant is a

citizen of Bahrain and that the applicant is provided medical treatment free of cost, at Bahrain. He submits that the applicant has previously been permitted to travel to Bahrain, subject to certain conditions. He submits that the applicant has abided by the terms and conditions imposed upon him, when he travelled to Bahrain, pursuant to the orders of this Court. He submits that the applicant is ready to file an undertaking in terms of the Judgment of the Apex Court in the case of ***Bhaskar Industries Ltd. v/s Bhiwani Denim and Apparels Ltd. and Others***¹. He submits that the applicant will give an undertaking that he will not dispute his identity and other conditions in accordance with the said Judgment of the Apex Court.

4. Learned APP states that the trial of the applicant has commenced.

5. Perused the papers. The applicant is aged 61 years and was granted pre-arrest bail on 2nd June, 2015. The applicant is a retired police personnel from the State of Bahrain and has permanent residence in Mumbai. It appears that the applicant has met with an accident, pursuant to which, he intends to travel to Bahrain for his medical treatment, as he gets free medical treatment in Bahrain. The applicant is also ready to give an

1 (2001) 7 SCC 401

undertaking that he will comply with the orders passed by this Court. The applicant has earlier travelled to Bahrain and has returned, as directed by this Court.

6. Accordingly, the application is allowed on the following terms:-

ORDER

(i) The applicant is permitted to travel to travel abroad for a period of 3 months to Bahrain;

(ii) The applicant shall furnish the itinerary and details of the places/addresses, where he will be residing during the aforesaid period, alongwith the telephone numbers, both to the Court seized of the matter and to the Investigating Officer of the concerned Police Station, before his departure;

(iii) The applicant shall file an undertaking in terms of the Judgment of the Apex Court in the case of ***Bhaskar Industries Ltd. (supra)***, prior to his departure to Bahrain, before the trial Court;

(iv) The applicant on expiry of the 3 months, shall return to India.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.