

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3369 OF 2018

DASHRATH PRASAD BHOLU SHRIVAS)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Ms.Tahera Qureshi, Advocate for the Applicant.

Mrs.M.M.Deshmukh, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 5th APRIL 2019

P.C. :

1 This is an application for grant of bail on medical ground to the applicant/accused in Crime No.I-193 of 2017 registered with Kalwa Police Station, Thane, for offences punishable under Sections 498A, 498B and 498C of the IPC.

2 Heard the learned counsel appearing for the applicant/accused. She argued that the applicant/accused is suffering from HIV and he is admitted at the hospital right now. His weight has been drastically reduced.

3 The learned APP opposed the application by filing the affidavit of Dr.Mangesh Game, Chief Medical Officer serving at Thane Central Jail.

4 I have considered the submissions so advanced. It is seen that even prior to his arrest, the applicant/accused was suffering from HIV. He is being treated at the prison hospital at Thane. It is stated in the affidavit that all necessary medical treatment apart from high protein diet is provided to the applicant/accused. While deciding the earlier application, the ailment of the applicant/accused was considered by this court.

5 In this view of the matter, no case for grant of bail is made out on medical ground. However, considering the fact that

the trial is still pending, the following order :

ORDER

- i) The application is rejected.
- ii) The learned trial court is directed to dispose off the sessions case within a period of one year from the date of communication of this order to it.

(A. M. BADAR, J.)