

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

24 BAIL APPLICATION NO.1352 OF 2020

LAXMAN DHONDIRAM DONGARE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Gunale V. D.
APP for Respondent-State : Mr. A. A. Jagatkar.
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CORAM : V. K. JADHAV, J.
DATE : 14.12.2020

PER COURT :-

1. I have heard the learned counsel for the applicant for some time.
2. The learned counsel for the applicant, on instructions, seeks leave to withdraw this application. The learned counsel submits that the applicant is suffering from Acquired Immune Deficiency Syndrome (AIDS) for many years and at present his health condition is critical. The learned counsel submits that though the applicant has referred the specific health ground before the court below, the same was not dealt with effectively. The applicant may be granted liberty to file an application for bail on health ground before the Trial Court.

3. Leave granted.

4. Application is disposed off as withdrawn. It appears that the applicant is suffering from Acquired Immune Deficiency Syndrome (AIDS) and the same is also reflecting from the statements of the witnesses. The applicant has also raised the said health ground before this Court so also before the Court below for grant of bail, however, the Trial Court has not dealt with the said ground effectively. In view of the same, the applicant is at liberty to file an application before the Trial Court / Sessions Court for grant of bail on health ground and it is for the Trial Court to consider the said ground after calling the report from the Jail Doctor or as the case may be from the Hospital where the applicant is presently getting treatment through Jail.

(V. K. JADHAV, J.)

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vmk/-