

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL BAIL APPLICATION (BA) NO.234/2020

Vijay S/o Chudaman Marathe
..V/s..

The State of Maharashtra, through Police Station Officer, Police Station,
Durgapur, Dist. Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for the applicant.
Shri J.Y. Ghurde, A.P.P. for the non-applicant / State.

CORAM : N.W. SAMBRE, J.

DATED : 9.7.2020.

1] Hearing was conducted through Video Conferencing and all the learned Advocates agreed that the audio and visual quality was proper.

2] This Court ordered release of the applicant on certain conditions, which the applicant failed to honour. As a consequences, he was taken back in custody.

3] Thereafter, applicant made certain attempts for his release on bail and in the last order dated 6th July, 2020, the applicant has put forth the issue of his medical ailment and the majority of the punishment undergone for the offence for which he is detained.

4] I have appreciated the submissions of Shri Sirpurkar, who tried to impress upon the Court to order release of the applicant on the medical ground.

5] As far as the said issue is concerned, a surgery

of knee cannot be a ground for bail particularly when the same can be taken care of by the Authority.

6] As far as the release of the applicant on the issue of he having undergone major part of the punishment is concerned, it shall be open for the applicant to raise the said ground before the Sessions Court as same was not raised.

7] As such, application stands **disposed of** with liberty as observed hereinabove.

8] This order be communicated to the Advocates appearing for the parties, either on the email address or on Whats App or by such other mode as is permissible in law.

JUDGE

Tambaskar.