

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

CRIMINAL BAIL APPLICATION NO. 782 OF 2021

Prashant Devrao Sankhe

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr.S.V. Marwadi i/b. Mr. N. M. Nadar, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 18th FEBRUARY, 2021.

PC :

1. This is an application for extension of temporary bail, granted by this Court vide Order dated 30th December, 2020.

2. The applicant was arrested in connection with C.R. No.124 of 2019, registered with Palghar Police Station, for the offences punishable under Sections 302, 364, 365, 120(B), 201 r/w. 34 of Indian Penal Code, 1860 ("IPC" for short).

3. The applicant had preferred Bail Application No. 1347 of 2020, seeking temporary bail on medical ground. This Court by the aforesaid order granted bail for a period of eight weeks, which expires on 20th February, 2021. While granting bail, it was observed that the contention of the applicant is that, he was admitted to J.J.

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Hospital on 4th December, 2020 and he had vomited blood. Subsequently, he was discharged on 7th December, 2020 and re-admitted on 10th December, 2020. He has severe pain in abdomen. It was further observed that in pursuance to the directions of this Court, the Superintendent Central Prison, Thane submitted the medical case papers of the applicant to this Court. The perusal of the medical case papers indicate that he is suffering from severe erosive gastritis and in pandemic situation taking to the applicant frequently, would invite risk. It is the apprehension of the prosecution that he would abscond.

4. Learned counsel for the applicant pointed out the medical case papers in respect of treatment undergone by him. In pursuance to grant of temporary bail, the documents annexed to the application indicate that the applicant is suffering from antral gastritis and there is severe erosive gastritis, if symptom persists for more than two months, he may require surgical investigation. He also relied upon the footage of sonography indicate that he was advised H-pylori therapy. It is submitted that the applicant be granted bail for a period of eight weeks. Temporary bail granted by this Court, is extended.

5. Considering the circumstances, bail granted by this

Court, can be extended upto 20th March, 2021.

6. Hence, I pass the following order.

ORDER

- (i) Temporary Bail granted by this Court vide Order dated 30th December 2020 is extended till 20th March, 2021. After the expiry of the said period, the applicant shall surrender before the Jail authority;
- (ii) The applicant shall furnish the details of hospital, where he is taking treatment to the concerned police station;
- (iii) The concerned police station shall communicate this order to the jail, where the applicant was detained;
- (iv) The application stands disposed of.

(PRAKASH D. NAIK, J.)