

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

**INTERIM APPLICATION NO.1457 OF 2021
IN
BAIL APPLICATION NO.817 OF 2021**

Faisal Javed Shaikh

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....
Mr.Rajendra Rathod i/b. Mr.Sohail Ahmed, Advocate for the
Applicant in IA.

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

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CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 21, 2021.

P.C. :

This is an application for temporary bail in Sessions
Case No.840 of 2019.

2 The applicant has contended that he is lodged in
Taloja Central Prison where several prisoners have tested positive
for Covid-19. The mother of the applicant is not well. She is
suffering from heart problem. She requires medical assistance
and the applicant is the only male member of the family, his
presence is required to help her and getting proper treatment.

The wife of the applicant has subtle ground glass density nodular focus involving the lower lobe of the lung parenchyma. She needs medical assistance. He has relied upon the medical report of the wife of the applicant. The application for bail preferred by the applicant on merits viz. Bail Application No.817 of 2021, is pending before this Court. The applicant has relied upon the Minutes of the High Power Committee meeting and the decision of the Apex Court in Suo Motu Writ Petition(C) No.1 of 2020.

3 Learned APP vehemently opposed the application for bail. It is submitted that the applicant is having criminal antecedents. He was involved in 14 criminal cases. The applicant had preferred application for bail on merits, which was argued before this Court and since the Court was not inclined to grant relief, the said application was unconditionally withdrawn on 27th November, 2020.

4 The applicant is arrested in connection with C.R.No.82 of 2019, registered for the offences punishable under Sections 452, 354, 376, 377, 323, 504, 506 and 506(II) of IPC. According to the prosecution, the applicant has past criminal history. Learned counsel for the applicant has contended that in

several cases he has been acquitted. The application preferred by the applicant on merits was withdrawn since the Court was not inclined to grant bail. I have perused the documents annexed to this application. The applicant has preferred another application before this Court on merits, which is pending. Considering the aforesaid circumstances, no case for grant of temporary bail is made out.

:: ORDER ::

- (i) Interim Application No.1457 of 2021, is rejected.

(PRAKASH D. NAIK, J.)