

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

***INTERIM APPLICATION NO. 1476 OF 2021
(For Bail pending Appeal)***

***IN
CRIMINAL APPEAL NO. 10 OF 2021***

Pratik Vilas Gangan	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. A. S. Khandeparkar i/b Khandeparkar & Associates for the Applicant

Mr. P. H. Gaikwad-Patil, A.P.P for the Respondent No.1–State

Mr. Ranjit Agashe for the Respondent No. 2

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
WEDNESDAY, 16th JUNE 2021

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks suspension of his sentence, pending the hearing and final disposal of his appeal, having regard to the vulnerability of the applicant as a prisoner in jail in the present Covid pandemic time.

3 Learned counsel for the applicant submits that it is dangerous for the applicant to be in jail in the present Covid situation and hence, he be enlarged on bail.

4 Learned A.P.P as well as learned counsel for the respondent No. 2 oppose the application. They submit that there is no merit in the said application seeking suspension of the applicant's sentence on the ground that the Covid cases in Ratnagiri/Sindhudurg has increased.

5 Perused the application. It is not in dispute that the applicant is prosecuted under a special Statue i.e. Protection of Children from Sexual Offences Act, in addition to the provisions of the Indian Penal Code.

6 In this fact of the matter, the question of granting bail on the ground that the Covid cases have increased in Ratnagiri/Sindhudurg, would not be a ground to enlarge the applicant on bail. It is not the case of the applicant that he is suffering from Covid or that he has any other ailment requiring treatment, which is not being made available by the jail authority.

7 Considering the aforesaid, there is no merit in the application. Accordingly, application stands rejected.

REVATI MOHITE DERE, J.