

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

ANTICIPATORY BAIL APPLICATION NO. 2774 OF 2019

Rambhau @ Ramchandra Nathu
Karanjavane

.... Applicant

v/s.

The State of Maharashtra

.... Respondent

Mr. Rajiv Patil, Sr. Advocate i/b. Mr. Prashant M. Patil for the Applicant.
Mr. Ajay Patil, APP for the State.

CORAM: SARANG V. KOTWAL, J.

DATED : 23rd SEPTEMBER, 2021.

P. C. :-

. The Applicant is seeking Anticipatory Bail in connection with C.R.No.218/2019 registered with Paud Police Station, Pune for offences punishable under Sections 307, 324, 332, 353, 504, 506 r/w. 34 of the Indian Penal Code.

2. This is an Application on medical grounds. The Applicant had earlier approached this Court in Anticipatory Bail Application No.1805 of 2019. It was rejected on merits of the case on 19/09/2019. The Applicant had challenged that order before the Hon'ble Supreme Court by filing Special Leave Petition No.9206/2019. The Hon'ble Supreme

Court has passed the following order :-

“ We are not inclined to entertain the Special Leave Petition under Article 136 of the Constitution of India. The Special Leave Petition is accordingly dismissed. However, we grant time to the petitioner to surrender up to 4th November, 2019 and to apply for regular bail. If an application for regular bail is filed, we request the competent court to dispose it of expeditiously.

Pending applications, if any, are disposed of. ”

3. This order was passed on 18/10/2019. After this order was passed by the Hon'ble Supreme Court, the Applicant again approached this Court on 13/09/2019 for the same relief for Anticipatory bail, however, on this occasion, on medical grounds. The Applicant did not surrender as directed by the Hon'ble Supreme Court.

4. In this view of the matter, it is incumbent on the Applicant to surrender as directed.

5. When I pointed this out, Mr. Rajiv Patil, learned senior counsel for the Applicant, on instructions, made a statement that the Applicant would surrender before the Sessions Court in Pune in compliance with the order of the Hon'ble Supreme Court. He submitted that some directions be issued to the Sessions Court for deciding the Applicant's

Bail Application on the same day on the ground of his health issues. He submits that the Applicant would hand over all his medical papers to the Investigating Officer well in advance so that the Investigating Officer can verify the stand of the Applicant and make submissions before the Sessions Court. He seeks leave to withdraw this Application with such liberty.

6. Learned APP does not have any objection to this course of action. Hence, the following order :-

ORDER :-

- (a) The Applicant is permitted to surrender before the Sessions Court at Pune.
- (b) The Applicant and the prosecution be heard in the Application for Bail before the same Court on that very day.
- (c) The Sessions Court is requested to decide that Bail Application on that day.
- (d) The Sessions Court shall take into consideration the

medical condition, medical papers and necessity of his custody in that situation and decide the Application in accordance with law.

(e) The Applicant shall handover his medical papers for verification to the Investigating Officer, immediately.

(f) The Application is allowed to be withdrawn with the aforesaid directions.

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(SARANG V. KOTWAL, J.)