

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (BA) No. 394 of 2021

(Nikita Sumit Meshram ..vs.. The State of Maharashtra through P.S.O. Ganeshpeth, Nagpur)

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

Court's or Judge's orders

Mr. U. P. Dable, Advocate for the applicant
Ms. T. H. Udeshi, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 05-07-2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. This application is placed before me since I rejected the earlier application on merits.

3. However, the record reveals that the applicant later approached the learned Sessions Judge seeking bail, not on merits, but on the ground that she may be granted temporary bail to be with her father who is terminally ill and is suffering from blood cancer. I have perused the medical documents.

4. Learned Additional Public Prosecutor Ms. Trupti Udeshi, on instructions, states that the submission of the applicant that her father is suffering from blood cancer is correct. Ms. Udeshi, however, points out that he is presently not hospitalized and is being taken care of by his son.

5. While Ms. Udeshi may be right in the submission that other than the applicant, there are other family members who can take care of the patient, in my considered view, the applicant is entitled to temporary bail of three months. It is not even the case of the prosecution that the applicant, woman poses a flight risk.

6. The application is allowed.

7. The applicant may be released on temporary bail for period of three months subject to following conditions.

(a) The applicant shall surrender immediately after the expiry period of temporary bail.

(b) The applicant shall not indulge in any offence during the period of bail.

(c) The applicant shall appear personally before the trial Court on the scheduled dates of hearing.

8. The application is disposed of in aforesaid terms.

JUDGE

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