

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**918 BAIL APPLICATION NO. 108 OF 2022
WITH APPLN/434/2022 IN BA/108/2022**

**AKBAR @ MIYABHAI MAHEBOOB SHAIKH
VERSUS
THE STATE OF MAHARASHTRA**

Shri. S. S. Jadhav, Advocate for the applicant
Shri. G. O. Wattmawar, APP for the respondent/State

**CORAM : M. G. SEWLIKAR, J.
DATED : 4th March, 2022**

PER COURT :-

1. Heard.

2. Learned APP Shri. Wattamwar for the respondent/State has produced the mail received by him from Harsul Prison. It shows that applicant is suffering from Ca Bladder with Diabetes Mellitus since 10 years. The report further states that the applicant needs further evaluation for Hematuria. As per advise of Urology Department patient needs to be referred to Higher Centre. He needs further evaluation and treatment at the earliest.

3. Learned APP for the respondent/State and Shri.

Shaikh, learned counsel for the informant submit that the applicant has mentioned his occupation as labour. From his subsequent conduct it's shows that he is capable of bearing the entire expenses of the medical treatment. They further submit that they have no objection for releasing the applicant on interim bail provided the applicant takes the treatment in the hospital under police escort.

4. In view of the submissions made, and the report of the Medical Officer, it goes to show that the applicant is suffering from cancer of Bladder. The report further shows that he needs the treatment at the earliest. The treatment is not available at Aurangabad Government Hospital. Therefore, he is advised to be referred to J.J. Hospital. Considering the health condition of the applicant, I am inclined to release the applicant on interim bail on medical grounds. Hence the order.

ORDER

1. Application is allowed.
2. Applicant be released on interim bail on his furnishing PR bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount in connection with CR

No. 0251 of 2019 under Sections 302, 120-B, 201, 307, 143, 144, 147, 148, 149 of the Indian Penal Code registered with Bidkin Police Station, Aurangabad.

3. Application is disposed of.
4. Pending application, if any, stands disposed of.
- . Parties to act upon authenticated copy this order.

[M. G. SEWLIKAR, J.]

ssp