

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

BAIL APPLICATION NO. 118 OF 2022

Subhash Hausrao Dalvi

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. N.S. Ghanekar, Advocate for applicant
Smt. D.S. Jape, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 05th MAY, 2022**

PER COURT :

1. Heard.
2. Learned A.P.P. strongly opposed to grant the bail.
3. This application has been moved basically on the ground of health condition. The medical report was, therefore, called for. The medical report given by the Rural Hospital, Shrigonda dated 19th April, 2022 suggests the applicant to have been HIV positive. He is unable to eat due to absence of teeth and generalised weakness. The applicant has been behind the bars for little over one year and seven months. The trial is pending before the Court of Judicial Magistrate First Class. The applicant, on his own, expressed

inclination to deposit a sum of Rs.18 lakhs in two installments, first one of Rs.10 lakhs to be deposited immediately and balance of Rs.8 lakhs within a period of eight weeks.

4. In view of same, the application is allowed. The applicant be released on his executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount. Depositing a sum of Rs.10 lakhs within a period of one week from today is the condition precedent for release of the applicant on bail. The balance amount of Rs.8 lakhs to be paid within eight weeks. The amount is to be deposited before the trial Court, which in turn, on application, if any, moved by the Pedgaon Vividh Karyakari Seva Sahakari Society, Pedgaon for receipt of the amount, shall paid to it on imposing certain conditions.

(R.G. AVACHAT, J.)

SSD