

IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

21 CRIMINAL APPLICATION NO. 1888 OF 2022
IN APPLN/692/2022 IN APEAL/425/2018
WITH
CRIMINAL APPEAL NO. 425 OF 2018
WITH
CRIMINAL APPEAL NO. 162 OF 2020
WITH
CRIMINAL APPEAL NO. 386 OF 2022

DHANANJAY @ DHANYA YOGIRAJ RASAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Niteen V. Gaware and
Mr. Z. H. Farooqui
APP for Respondent No. 1 : Mr. K. S. Patil
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CORAM : SARANG V. KOTWAL
BHARAT P. DESHPANDE, JJ.
DATED : 04 JULY 2022

PER COURT:-

1. The applicant was granted temporary bail for the period of three months vide order dated 09.03.2022 passed in Criminal Application No. 692 of 2022. Present application is filed for extension of that period. Vide order dated 17.06.2022, we had directed learned APP to verify the medical condition of the applicant through the Investigating Officer and the period of temporary bail was extended till today.

2. Learned APP has produced a report of the Jail Superintendent, Aurangabad Central Prison addressed to the learned APP. The report is dated 03.07.2022. It is taken on record and marked "X" for identification. The report includes a letter sent by the Assistant Police Inspector, Bembli Police Station, District Osmanabad. It is mentioned that the Police Officer met the applicant. He has undergone surgery for two valves of his heart and he is bed ridden. He is unable to breath properly. He has difficulty in passing urine. His liver is damaged and he needs surgery for that. The police officer obtained medical papers from the hospital at Nerul, Navi Mumbai mentioning the surgical procedure. Thus, it is clear that the applicant is in precarious health condition and therefore, we are inclined to allow this application and extend the temporary bail granted to him by further period of six months as prayed for in this application. Criminal Application No. 1888/2022 is therefore allowed in terms of prayer clause (B), which reads thus:

- B) Extend the period of temporary bail granted in Criminal Application No.692/2022 vide order dated 09.03.2022 for further six months and for that purpose issue necessary order.

3. Learned counsel for the appellants in Criminal Appeal No. 425 of 2018, Criminal Appeal No. 162 of 2020 and Criminal Appeal No. 386 of 2022 shall remove the name of respondent no.2 appearing in appeals as well as in any of the applications and she shall be described as “XYZ”.

BHARAT P. DESHPANDE, J.

SARANG V. KOTWAL, J.

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