

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3682 OF 2022
IN BA/765/2022

AKSHAY DATTATRAY BANSODE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. N. D. Sonavane
APP for Respondent : Ms. V. S. Choudhari
...

CORAM : S. G. MEHARE, J.

DATE : 01-12-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. By order dated 19.07.2022, interim bail was granted for medical treatment. The said order was extended by order dated 30.08.2022 with direction to surrender on 01.10.2022. However, the applicant did not surrender on the said date. Thereafter, the applicant has filed present application for further extension of the interim bail, due to his ill-health. He produced a CT scan report dated 24.10.2022 at page No.14-A and prayed to extend the time for further treatment. The statement was made that the applicant has to undergo a surgery. Considering the statement, the Court had extended the time to surrender till 15.11.2022.

3. Today, the learned counsel for the applicant produced medical certificate and argued that the applicant is an outdoor patient. However, he has to undergo treatment for crushing the kidney stones.

4. The learned A.P.P. has pointed out that the conduct of the applicant is not *bona fide*. He is extending his surrender under one pretext or the other. The crushing treatment of the kidney stone is not a serious treatment. That may be done within a very short time. The application is not *bona fide*.

5. Perused the papers. It is apparent that the applicant is avoiding his surrender under one pretext or the other. Now he is an outdoor patient. The crushing stone treatment can be given from the jail authority if it is required. The application does not appear *bona fide*. Hence, the Court is not convinced that it is a fit case to extend the interim bail order as prayed. Hence, Criminal Application No. 3682 of 2022 stands dismissed.

6. The applicant to surrender by tomorrow i.e. 02-12-2022. If the applicant would not surrender, the police shall arrest him.

(S. G. MEHARE)
JUDGE