

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 3394 OF 2021

Mohan Raghavan Nair	 Applicant
Versus	
The State of Maharashtra	 Respondent

Ms. Drishti H. Shah for Applicant.

Mr. P. H. Gaikwad, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 21st JANUARY, 2022
(through Video Conferencing)

P.C. :

1. In this matter a grievance is made by learned counsel for the applicant that the applicant is suffering from serious medical ailment. Based on this submissions I had called for a report from the Superintendent of Taloja Jail. Accordingly, copies of the reports are tendered before the court. They are taken on record and marked 'X' collectively for identification. Copies of these reports are directed to be given to the learned counsel for the applicant.

2. Learned counsel for the applicant states that the

applicant shall approach the trial court for his release on bail based on these reports. The applicant is at liberty to approach the trial court and to make an application for his release on temporary bail on the ground of medical ailment. If such an application is made, the trial court shall decide it in accordance with the law. The trial court is free to decide that matter depending on the facts and circumstances of the case and medical condition of the applicant.

3. As far as consideration of this application on merits is concerned, the applicant has not annexed any documents from the charge-sheet. Learned APP makes a statement that two witnesses are already examined. Their depositions are also not annexed to this application. Therefore, in this situation, it is not possible to entertain this application.

4. Learned counsel for the applicant seeks leave to withdraw this application with liberty to file a fresh application by annexing all the relevant documents from the charge-sheet, as well as, depositions of witnesses recorded, so far.

5. Permission is granted. The application is allowed to be

withdrawn with such liberty.

6. With these observations, the application is disposed of accordingly.

(SARANG V. KOTWAL, J.)