

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

BAIL APPLICATION NO. 1043 OF 2023

Shri. Ambadas Sayabu Orase	... Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Sandeep Salunkhe for the Applicant.
Mr. Shrikant H. Yadav, APP for the State.
Mr. Aashish Raghuvanshi for the Complainant.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 18th APRIL, 2023.

P. C. :-

. At the outset, learned counsel for the Applicant has brought to my notice that there is a typographical error in paragraph 3 of the order dated 14/10/2022 passed in Criminal Bail Application No.2793/2022 wherein the date on which the Applicant had undergone hip surgery is stated to be 29/09/2022 instead of 29/09/2020. The date be corrected to read as “ 29/09/2022 ”.

2. By order dated 14/10/2022, the Applicant was granted temporary bail in Criminal Bail Application No.2793/2022, in view of the statement of the Applicant that he is suffering from spinal issues and is taking medical treatment in hospital and was hospitalized in

Civil Hospital, Solapur. The Applicant had undergone hip surgery on 29/09/2022. Report was called from the jail authorities and the Jailer had reported that there are no facilities to keep the Applicant as an indoor patient and sought appropriate directions to keep the accused/Applicant in Civil Hospital. In the light of the above, the Applicant was released on temporary bail in C.R.No.780/2021, for a period of six months.

3. Learned counsel for the Applicant has sought extension of temporary bail on the ground that the Applicant is suffering from pain and he needs further treatment. He has placed on record certificate dated 26/03/2023 issued by one Dr. Nilkanth Korake (Patil) from Vishwaleela Hospital certifying that the Applicant had undergone hip replacement of left side about six months back and that he has been advised hip replacement surgery of right side. He needs rest, medication and physiotherapy for three months from the date of the operation.

4. Learned APP states that during the period that the Applicant was on temporary bail, another crime being C.R.No.181/2023 has been registered against him before Akluj Police Station, Solapur Rural for

offences punishable under sections 323, 354, 452, 504, 506 r/w. 34 of the Indian Penal Code. Learned APP has further stated that the Applicant had also filled nomination form for election of Agricultural Produce Market Committee (APMC) at Akluj for the year 2023. This statement is not disputed.

5. The records reveal that the Applicant, who is otherwise fit to contest the election and against whom another crime has been registered during the interregnum period, has sought extension of interim bail on the garb of sickness. The Application is nothing but a plot to enjoy bail on false ground. Hence, the Application is dismissed. The Applicant is directed to surrender before the Superintendent of Central Jail, Solapur within two days i.e., on or before **20/04/2023**.

6. Bail Application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)