

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

**INTERIM APPLICATION NO. 12 OF 2023
IN
CRIMINAL APPEAL NO. 434 OF 2016**

Amit Amrut Patel

...Applicant

Versus

Union Of India & Anr.

...Respondents

Adv. Vikram R. Sutaria for the applicant.

Adv. H. S. Venegavkar a/w. Adv. Aayush Kedia for the respondent
no. 1

Smt. G. P. Mulekar, APP for the respondent-State.

**CORAM : NITIN W. SAMBRE &
R. N. LADDHA, JJ**

DATED : 04TH JANUARY, 2023

P.C.:

1. The applicant is convicted for an offence punishable u/s. 302 of IPC.
2. The applicant is seeking temporary bail in view of death of his father viz. Amrut Keshav Patel. In response to the Court's query, Mr. Venegavkar, learned counsel for the respondent no. 1 informs that the fact about the death of father of the applicant is not in dispute.
3. This Court on earlier occasion vide its order dated 23/05/2018 passed in Criminal Application No. 834 of 2018 has

directed temporary release of the applicant on the ground of death of his mother on 21/05/2018.

4. In the aforesaid background, having noticed that the applicant on earlier occasion has complied with the bail conditions while ordering his temporary release and the fact that the applicant has lost his father recently, it will be appropriate in our opinion to grant the applicant temporary bail.

5. As such, it is directed that the applicant be released on temporary bail for a period of two weeks i.e. from 09/01/2023 till 22/01/2023. The applicant shall surrender on 23/01/2023 by 3.00 PM.

6. The applicant shall be released on temporary bail on furnishing P.R. bond in the sum of Rs.10,000/- to be executed before the Superintendent of the jail where the applicant is undergoing sentence.

7. The applicant shall also deposit cash of Rs.10,000/- before the jail authority before his release.

8. The applicant shall attend the Silvassa Police Station between 10.00 AM to 12.00 noon on 11/01/2023, 15/01/2023 and 20/01/2023.

9. In case of applicant surrenders before the jail authority as

has been observed herein above, the applicant shall be entitled for refund of cash deposit of Rs.10,000/-, which request be proceeded within a week from such surrender of the applicant.

10. The interim application stands allowed in the above terms.

(R. N. LADDHA, J)

(NITIN W. SAMBRE, J.)