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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 2664 OF 2023

IN

CRIMINAL APPEAL NO. 136 OF 2023

Jayesh Jeetnarayan Singh

...Applicant

Versus

State of Maharashtra and Another

...Respondents

WITH

CRIMINAL APPEAL NO. 167 OF 2023

WITH

INTERIM APPLICATION NO. 180 OF 2023

IN

CRIMINAL APPEAL NO. 167 OF 2023

Vishal Jaswantbhai Solanki

... Appellant

Versus

State of Maharashtra and Others

... Respondents

WITH

CRIMINAL APPEAL NO. 683 OF 2022

Jignesh Govindbhai Nandvan

... Appellant

Versus

The State of Maharashtra

... Respondent

WITH

CRIMINAL APPEAL NO. 923 OF 2022

Rajkumar Rampal Yadav

... Appellant

Versus

The State of Maharashtra and Others

... Respondents

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Mr. Krishna R. Singh a/w. Ms. Dimple N. Ashar for the Applicant.

Ms. P. P. Shinde, APP for the State.

Mr. Suryakant Kamble, PSI, Dahisar Police Station.

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 26th JULY 2023

P. C. :

1. Heard learned counsel for the parties.
2. By this Interim Application i.e. Interim Application No. 2664 of 2023, the applicant seeks temporary bail of 60 days (two months) to take care of his father, since his father is in hospital, undergoing treatment for cancer.
3. Learned counsel for the applicant submits that the applicant is presently on parole and that he is required to surrender on 2nd August 2023. He submits that the applicant's father is in a critical condition and is presently undergoing treatment in a nursing hospital, at Dahisar. He submits that there is no male member to take care of his father. He therefore seeks temporary bail for two months.

4. Learned counsel for the applicant has tendered the medical certificate issued by Shri K.V.O. Jain Manav Seva Kendra, Dahisar. The said certificate is taken on record.

5. Learned APP has also taken instructions. She does not dispute the certificate tendered today, by the learned counsel for the applicant and that the applicant's father is undergoing treatment.

6. Perused the papers. It appears that the applicant has been convicted for the offences punishable under section 302, 364, 201, 324, 504 and 506 read with section 34 of the Indian Penal Code and is sentenced to various sentences of imprisonment, the main imprisonment, being imprisonment for life.

7. The applicant is presently released on parole and is required to surrender on 2nd August 2023. The applicant has two brothers, one has expired and the other is in custody and hence, there are no other male members to look after the applicant's father.

8. From the certificate issued by Shri K.V.O. Jain Manav Seva Kendra, Dahisar dated 25th July 2023, it appears that the patient Jeetnarayan Singh i.e. applicant's father, is admitted to the said hospital on 24th July 2023 with history of breathlessness, giddiness, headache, low Hb (anemia), drowsiness and altered sensorium. It is further stated that the patient was diagnosed with Buccal Mucosa in 2015 and had undergone one months radiation and there has been relapse of the same in January 2021. It appears that the patient has taken six months chemotherapy and that currently, the patient is at the end stage of carcinoma and is in a critical condition and requires nursing care.

9. Considering the said certificate which is not disputed by the learned APP, we grant temporary bail to the applicant, for 30 days i.e. commencing from **2nd August 2023** to **2nd September 2023**, on the following terms and conditions:

ORDER

- (i) The applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The applicant to surrender before the concerned authority
on **2nd September 2023**.

10. Interim Application disposed in the above terms.

All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.