



Diksha Rane

506. IA 1522-24.doc

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

**INTERIM APPLICATION NO.1522/2024
IN
BAIL APPLICATION NO.1334/2024**

ALTAF GAFURBHAI PATEL

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rajendra Rathod a/w. Adv. Sohail Ahmed for the
applicant.

Smt. Megha Bajoria, APP for the State.

PI Sunil Pawar, AEC.

CORAM : M. S. KARNIK, J.

DATE : APRIL 10, 2024.

P.C. :

1. Not on board; taken on board.
2. Heard learned counsel for the applicant.
3. This is an application for one day's extension of the temporary bail granted by the trial Court to the applicant under escort. The trial Court has permitted the applicant- Altaf Gafurbhai Patel to attend his mother at Geeta Hridayam Hospital, B-92, Pranami Shopping Center, opposite Royal Plaza Ved Road, Surat-395004, for her surgery and taking her care on 10/4/2024 and 11/4/2024

with police escort.

4. The submission of learned counsel for the applicant is that the surgery which was scheduled to take place on 11/4/2024 has now been rescheduled on 12/4/2024 and therefore, one day's extension is sought. Learned counsel for the applicant submitted that except one day's extension on 12/4/2024, it is assured that no further application for extension will be made. It is further submitted on instructions that the applicant can be lodged in prison on 12/4/2024, at 6.00 p.m.

5. The application is vehemently opposed by learned APP. It is submitted that the accusation is serious. It is further submitted that there are no documents placed on record about the surgery being rescheduled. Learned APP also submitted that an application for extension has been made before the trial Court, which application should be decided in the first instance.

6. Learned counsel for the applicant, on instructions, submitted that concerned doctor who is to perform the surgery has indicated that the surgery will take place on 12th or 13th April, 2024 depending on the blood sugar level of the

applicant's mother which presently is not under control. In any case, learned counsel for the applicant submitted that he will not apply for any extension beyond 12/4/2024. Statement is accepted.

7. Considering that tomorrow is a holiday, I decided to entertain the present application purely on humanitarian ground though the application before the trial Court is yet to be decided and considering the request made was for extension for one day. In this view of the matter, in paragraphs 2 and 3 of the order below Exhibit 44 passed by the trial Court, the dates shall now be read as 10/4/2024, 11/4/2024 and 12/4/2024. In paragraph 3, instead of 11/4/2024 the date is modified as 12/4/2024. Rest of the order passed by the trial Court below Exhibit 44 dated 4/4/2024 in Special Case No.1471/2022 shall remain intact.

8. The application is disposed of.

9. Parties to act on an authenticated copy of this order.

(M. S. KARNIK, J.)