



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.973 OF 2025

NARAYAN TUKARAM IRABANTAWAD

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant: Ms. Rakhi V. Sundale

APP for Respondent / State: Mr. D. J. Patil

Advocate for Assist to PP:

Mr. Anand Chaware & Ms. Vandana K. Sadawarte

...

WITH

CRIMINAL APPLICATION NO.2159 OF 2025

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 01.07.2025

P.C. :

1] Heard.

2] Criminal Application No.2159 of 2025 is allowed to the extent of assist to public prosecutor.

3] The applicant is seeking bail as he was arrested on 15.07.2022 in connection with Crime No.97/2022, registered with Chakur Police Station, District Latur, for the offences punishable under Sections 302, 201, 120-B, 212, 216, 34 of IPC & under Sections 3(1)(i), 3(2), 3(3), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act).

4] The learned counsel for the applicant submits that the applicant is suffering from diabetic mellitus with right diabetic foot with right toe gangrene in a/c/o angioplasty.

5] This court had called for the report from the concerned civil hospital Latur. Through APP the civil hospital has submitted that the surgery is required for the applicant and that he is suffering from the diabetic mellitus with right diabetic foot with right toe gangrene in a/c/o angioplasty.

6] The learned APP points out that earlier also 2 surgeries are conducted on 16.05.2025 and 26.05.2025. However, notwithstanding the same, the infection is increased and that further surgery is now necessary and the applicant is not giving consent for surgery in the civil hospital.

7] Considering that the prior 2 surgeries are not successful and the infection has increased, the applicant is permitted to get surgery done at Vivekanand Hospital, Latur as prayed by the learned counsel for the applicant.

8] As such, the applicant be released on interim bail for the purpose of aforesaid surgery to be performed at Vivekanand Hospital at Latur. The applicant is permitted

to 4 weeks time to have surgery performed and for post surgery purposes. Thereafter, the applicant to get himself admitted in the civil hospital at Latur with prior intimation to the jail authorities. On the report of the civil hospital the applicant would then be sent in the custody.

9] Liberty to apply afresh if the applicant is not recovered.

10] The learned APP submits that they may be permitted to have police constable with the applicant.

Liberty granted. However, the applicant would not pay costs for the same.

11] In view of the above, the application is disposed of on the following terms :

a] The applicant shall be released on temporary bail for the period of four (04) weeks from today in connection with Crime No.97/2022, registered with Chakur Police Station, District Latur, for the offences punishable under Sections 302, 201, 120-B, 212, 216, 34 of IPC & under Sections 3(1)(i), 3(2), 3(3), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (MCOC Act), on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall surrender himself before the concerned jail authorities after completion of the period of four (04) weeks.

C] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

12] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

13] The application stands disposed of.

14] Parties to act upon the authenticated copy of this order.

[ARUN R. PEDNEKER]
JUDGE

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