

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

**903 CRIMINAL APPLICATION NO. 3221 OF 2025
IN APPEAL/149/2025**

SHIVRAJ HANUMANTRAO PATIL
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Rohit Patwardhan, Advocate holding for Mr. Satej Jadhav,
Advocate for the applicant.

Mr. S.R. Wakale, A.P.P. for respondent-State.

Mr. V.G. Kodale, Advocate assisting the A.P.P.

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**CORAM : SANDIPKUMAR C. MORE AND
MEHROZ K. PATHAN, JJ.**

DATED : 9 SEPTEMBER 2025

Per Court :

1. Heard rival submissions.
2. By way of this application, the applicant is seeking his release on temporary bail for the period of three months to enable him to recover from the illness, such as, urine incontinence, kidney ailment, liver ailment and other old age related ailments. Admittedly, by order dated 5 May 2025, this Court has refused to suspend the substantive sentence of imprisonment of the applicant and his release on bail.
3. It is contended by the applicant that he is 80 years old and is suffering from the aforesaid ailments. His condition is deteriorating day by day since he is not getting proper medical treatment in the prison. In view of the same, on last occasion,

this Court had orally requested learned APP to call report from the Superintendent of Harsool Central Prison, Chhatrapati Sambhajanagar. Accordingly, today learned APP produced on record communication issued by Superintendent of Jail alongwith medical report of the applicant. On going through the said report, it is evident that though the applicant is in need of help of other person to do daily activities due to multiple diseases as mentioned above, but his present health status is shown moderate. Further, it is also opined by the Medical Officer that in case of urgency or regular treatment for the applicant, he will be referred to Government Medical College and Hospital, Chhatrapati Sambhajanagar as and when required.

4. It is to be noted that the services of Urologist and Uro-surgeon as well as Ophthalmologist and Cardiologist are available in the aforesaid Government Hospital. In view of the same, the applicant can be referred to this hospital in case of emergency as and when required. As such, we are not inclined to grant temporary bail to the applicant as claimed.

5. In the result, the application stands rejected and disposed of accordingly.

(MEHROZ K. PATHAN)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE