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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 776 OF 2025
IN
CRIMINAL APPEAL NO. 1240 OF 2019

Gurumitsingh Rajasingh Sevaradar

APPLICANT

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....
Mr. M. K. Bhosale, Advocate for the Applicant
Mr. S. D. Ghayal, APP for Respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, &
MANJUSHA DESHPANDE, J. J.]

DATE : 28th APRIL, 2025

ORDER :

1. The Applicant is convicted in Sessions Case No. 55 of 2016 and is sentenced to suffer Rigorous Imprisonment for life and to pay a fine of Rs.5,000/- with default clause.
2. This Application is filed by the Applicant seeking temporary bail for three months on medical grounds.
3. It is the case of the applicant that while he was released on furlough leave, on 10th February, 2025, he and his friend were attacked by some unknown persons using deadly weapons, guns. In the said attack, Applicant's friend Ravindrasing Rathod expired and applicant received 7 bullet injuries. The Applicant was,

therefore, admitted in hospital for treatment. He was discharged on 26th February, 2025. FIR No. 62 of 2025 was registered in respect of the assault on the Applicant, against unknown persons for offence punishable under section 103 (1), 109 of the BNS and sections 3, 25 and 27 of the Arms Act.

4. It is contended by the Applicant that he has received injuries to the vital parts of the body like lungs, chest, flank epigastric region and still he is not able to move. He requires further continuous treatment and he will not be able to survive in jail. There is still threat to his life due to present injuries and he is not out of danger as his medical condition is serious.

5. We have heard learned Advocate for the Applicant and learned APP for the State at length. We called report from the Medical Board, District Hospital, Nashik in respect of present medical condition of the Applicant. Learned APP has placed on record copy of medical certificate issued by Medical Board comprising of 6 medical officers including Civil Surgeon, wherein following conclusion is given:

“After history, clinical examination and investigation findings on 22/04/2025 medical committee is of the pinion that:

1. Prisoner had alleged history of firearm injury two months back. At present having no fresh complaints and no need of admission in hospital and not require emergency surgical intervention at

present.

2. *Prisoner is not suffering from any disabilities and requires no assistance for daily routine activities at present.*

So he is physically and mentally fit.”

6. Taking into consideration the report of the Medical Board, it is clear that the Applicant is not suffering from any disability and does not require assistance for daily routine. At present, there is no need of his admission in the hospital and he does not require any emergency surgical intervention.

7. In this view of the matter and considering the fact that there is danger to the life of the Applicant if he is released on temporary bail, we are not inclined to allow the Application. The Application is, therefore, rejected.

[MANJUSHA DESHPANDE]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE