

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 989 OF 2025

Mohammed Arif Bhujwala

.. Applicant

Versus

Union of India & Anr.

.. Respondents

.....

- Mr. Taraq Sayed a/w Mr. Aniesh Pereira for Applicant
- Ms. Aruna Pai for Respondent No. 1 - UOI
- Ms. Mahalakshmi Ganapathy, APP for Respondent No. 2 - State

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 2, 2025

P. C.:

1. Heard Mr. Sayed, learned Advocate for Applicant; Ms. Pai, learned Advocate for Respondent No. 1 - UOI and Ms. Ganapathy, learned APP for Respondent No. 2 - State.

2. Mr. Sayed would draw my attention to the order dated 24.03.2025 passed by this Court. On perusal of the said order and the report which has been placed on record by learned APP, it is *prima facie* seen that Applicant is medically unwell. In that view of the matter, I am inclined to consider long incarceration of Applicant which is for 4 years & 2 months.

3. Ms. Pai would persuade the Court to allow the prosecution to conclude the trial which shall be completed by the end of May 2025.

4. *Prima facie*, it is observed that the prosecution has examined either 7 or 11 witnesses as per the submissions made by the parties before this Court. Regardless of the exact number, considering the medical condition of the Applicant, Mr. Sayed in the alternative urges the Court to consider granting medical bail to the Applicant so that he can resurrect himself so also equally participate in completion of the trial. One of the reason as to why this submission is made in the alternate is because of long incarceration of Applicant for more than 4 years and 2 months in the present case.

5. Ms. Pai is directed by this Court to take appropriate instructions on the submissions made by Mr. Sayed. This Court is of the opinion that considering the medical condition of the Applicant, his bail application should be heard otherwise on merits for grant of bail. It is therefore clarified that present Application shall be heard and decided on the next adjourned date which shall be noted by the prosecution.

6. Stand over to **8th April, 2025**. To be shown under the caption "**Medical Urgency**" and "**For Directions and hearing**".

[MILIND N. JADHAV, J.]