



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

925 CRIMINAL APPEAL NO. 674 OF 2025

SHIVAJI MAHADU ALIAS MADHAVRAO AUTADE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Ms Anagha Pedgaonkar, Advocate for the Appellants
Mr. D. B. Bhange, APP for Respondent No.1 – State
Mr. Angad Kanade, Advocate for Respondent No.2

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CORAM : Y. G. KHOBRAGADE, J.

DATE : January 08, 2026

PER COURT :-

1. Heard at length, the learned counsel for the appellants, the learned APP for respondent No.1 and the learned counsel for respondent No.2.

2. By the present appeal, the appellant put forth prayer clause “B”, as under:-

“B. This Hon’ble Court may graciously be pleased to grant bail and direct Respondent to release the Appellant on bail in connection with crime no.341/2022 registered at Chikalthana Police Station, Aurangabad u/s 302, 120B, 143, 147, 149 of IPC and 3(2), 3(v), 3(1)(r) and 3(1(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.”

3. The learned counsel for the appellant canvassed that on the basis of F.I.R. lodged by the informant, Crime No.341 of 2022 registered with Chikalthana Police Station, Aurangabad, for the offences punishable under Sections 302, 120B, 143, 147, 149 of IPC and 3(2), 3(v), 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. The appellant/accused was arrested on 19.08.2022 and since then he has been behind the bars. However, the present appellant developed Acute Urinary Retention (AUR) and he is required to undergo treatment at private hospital. Therefore, the learned counsel prayed for enlarging on bail during pendency of the trial.

5. Per contra, the learned APP submits that earlier on 02.07.2025, the learned Special Judge, Aurangabad, passed the impugned order below Exh.77 in Special Case No.323 of 2022 and rejected the bail application.

6. The Superintendent of Central Jail, opted opinion from the Head of the Department and Professor, Urology of the Government Medical College and Hospital, wherein, the Medical

Officer opined that Cystitis can be treated at the hospital at Aurangabad. Confirmation of the final diagnosis will be done only after urodynamic study, which is not possible at the Government Hospital, however, symptomatic treatment has been prescribed. So also, the Medical Officer is also opined to transfer the appellant at J. J. Hospital, Mumbai for necessary diagnosis. Therefore, it appears that the authority of the Central Prison is taking every care of the physical health of the appellant.

7. Needless to say that the present appellant/accused chargesheeted for the heinous crime of the offences punishable under Sections 302, 120B, 143, 147, 149 of IPC and 3(2), 3(v), 3(1)(r) and 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and the earlier point of time, Criminal Appeal No.52 of 2024, filed by the present appellant against the order of rejection of bail, came to be withdrawn. The appellant has not brought any other change in circumstances. Therefore, I am not inclined to grant the present appeal. Accordingly, the Appeal is dismissed.

[Y. G. KHOBRAGADE, J.]