



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

978 BAIL APPLICATION NO. 1319 OF 2025

Sandip Trimbak Jadhav

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Dr. A.N. Pedgaonkar

APP for Respondents: Mr. G.O. Wattamwar

Advocate for Respondent: Mr. A.S. Bayas For Assist To APP (VC)

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 05, 2026

PER COURT :-

1. The applicant seeks regular bail in connection with crime no.315 of 2021 registered with Pundlik Nagar police station, Aurangabad for the offences punishable under sections 302, 341, 342, 326, 307, 114, 143, 144, 147, 148, 149, 201 of the Indian Penal Code.

2. Present application is filed mainly on the ground of medical condition of the applicant. It is contention of the applicant that applicant has been diagnosed with Squamous Cell Carcinoma of the Buccal Mucosa (a form of oral cancer). Medical Officer of Central Prison and Government Medical College and Cancer Hospital, Aurangabad has confirmed the aforesaid diagnosis. In light of the aforesaid contentions, this

Court by order dated 14.10.2025 referred the applicant for examination before the Medical Board at Government Hospital. Accordingly, the applicant was examined and board certified as under :-

“Rt Medical Buccal Mucosa, completed treatment and no recurrence at present. Needs three monthly follow up.”

3. The contents of the aforesaid certificate depicts that, although, applicant has been diagnosed with the aforesaid ailment, there is no recurrence at present. However, the applicant needs three monthly follow up.

4. Learned APP relying upon the observations of the Hon'ble Supreme Court of India in case of State of Karnataka Vs. Shi Darshana Etc., reported in 2025 Livelaw (SC) 801 would submit that bail on medical ground can be granted only in case of urgency or specificity, where medical condition is serious, cannot be treated in custody and necessary facilities are not available in jail. Burden to prove such necessity lies on the accused.

5. In the present case, nothing is brought on record to show that medical condition of the applicant is serious, which cannot be treated in custody. As suggested by Medical Board,

applicant can be taken to the hospital for follow up treatment after every three months.

6. In that view of the matter, no case is made out to entertain present application. Application stands **rejected**. Needless to mention here that, in case, medical examination carried in future shows aggravated medical condition of the applicant, he shall be at liberty to move fresh application for bail. The applicant shall surrender within a period of one week from today.

(S. G. CHAPALGAONKAR, J.)

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