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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 133 OF 2026
(TEMPORARY BAIL)**

Roshankumar Sitharama Shetty ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Ganesh Gupta (V/C), *with Chitra Salunkhe, Sahil Ghorpade, Priyanka Rathod, i/b GG Legal Associates, for the Applicant.*

Ms. Megha S. Bajoria, *APP for the State-Respondent.*

Mr. Manohar B. Tawde, *ASI attached to Crime Detection Branch, Unit-IV, present.*

**CORAM DR. NEELA GOKHALE, J.
DATED: 14th JANUARY 2026**

PC:-

1. This is an Application seeking temporary bail on medical ground. By order dated 13th January 2026, this Court requested Ms. Megha Bajoria, learned APP representing the State in the matter, to procure a health status report from Sir J J Group of Hospitals, Mumbai in respect of the Applicant.

Today, she has placed a report dated 13th January 2026 issued under the signature of one Dr. Girish Bakhshi, Head of the Department, Department of General Surgery of Sir J J Group of Hospitals, Mumbai.

2. I have gone through the said Report. As per the Report, on 3rd December 2025, after taking permission of the Jail Superintendent, the Applicant was shifted to Septic Operation Theater and Ray's amputation of 5th left toe was done and release incision over left foot dorsum were taken under ankle block.

3. In view of history of diabetes and hypertension and after taking opinion from the experts in the concerned field of medicine, on 11th January 2026, forefoot amputation surgery was planned and accordingly, on 12th January 2026, the Applicant was shifted to the Septic Operation Theater and the surgery was carried out.

4. Mr. Ganesh Gupta, learned counsel appearing for the Applicant, submits that the Applicant suffers from various other diseases and initially, only the left toe of the Applicant was required to be amputated however, on account of inadequate facilities, he submits that now, the Applicant is also to undergo forefoot amputation. He submits that it is necessary for the Applicant to be given proper medical treatment by private doctors of his choice. In these circumstances, the Applicant seeks medical bail for a period of 6 weeks. Mr. Gupta, however, submits that considering the current medical health status of the Applicant, the Applicant needs to be treated by a private doctor of his choice for at least 6 months.

5. Heard Mr. Ganesh Gupta, learned counsel appearing for the Applicant and Ms. Megha Bajoria, learned APP representing the State in the matter. I have gone through the record of the present matter.

6. Considering the allegations made against the Applicant in the FIR and the gravity of the offence and also, the medical health condition of the Applicant, I deem it appropriate to release the Applicant on medical bail for a period of 3 months from the date of his release, from the Thane Central Prison, Thane to be admitted to a private hospital of his choice on the following conditions:-

ORDER

- i) The Applicant be enlarged on medical bail on furnishing cash bail of Rs.25,000/- for his release;
- ii) The Applicant is directed to keep the Jail Authorities informed regarding his whereabouts and his medical details including, but not limited to the name of the Hospital in which he is proposed to be admitted and operated; name of the treating doctors; name and phone numbers of the family members/relatives visiting the Applicant and other such details, which may be required by the Jail

Authorities/ Investigating Officer within a period of 8 days from the date of his release from jail;

iii) The Applicant shall attend the Trial Court through Video Conferencing. He is, however, at liberty to move an application seeking exemption from appearance from the trial. Trial Court to decide such application, if made, on its own merits;

iv) The Applicant is also directed to be in contact with the Investigating Officer once in 15 days by way of telephonic communication/WhatsApp video call, on every alternate Monday between 9.00 am to 11.00 a.m. on the mobile number of Mr. Sarak, API, Investigating Officer, which is 98212 14611;

v) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

vi) Any infraction of the aforesaid conditions shall entail cancellation of bail;

vii) On the expiry of the last day of the twelfth week of his release, the Applicant is directed to surrender before the Jail authorities at or before 5.00 p.m;

7. Accordingly, the Bail Application seeking temporary bail on medical grounds is allowed in the aforesaid directions and disposed of.

(Dr. Neela Gokhale, J)

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