

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 554 OF 2026

Satish Babu Kunchikurve

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Ravishankar Dwivedi, *with Aditya Gole, for the Applicant.*

Mr. Mayur S. Sonavane, *APP for the Respondent.*

Mr. Khatal, *API attached to Dharavi Police Station, present.*

CORAM DR. NEELA GOKHALE, J.

DATED: 5th FEBRUARY 2026

PC:-

1. By the present Application, the Applicant seeks interim bail on medical grounds, on account of the critical medical condition of the Applicant's daughter, aged about 2½ years, in connection with FIR No. 0064 of 2025 dated 26th January 2025, registered with Dharavi Police Station, Brihanmumbai City, for the offences punishable under Sections 103(1), 61(2), 352 and 351(3) of the Bharatiya Nyaya Sanhita, 2023

("BNS") and Sections 37(1)(a) and 135 of the Maharashtra Police Act, 1951.

2. According to the Applicant, his daughter is suffering from Critical Heart Blockage and Septal Defect and is presently admitted in Tender Hearts Clinic Hospital. As per the medical advice, she is required to undergo immediate life saving surgery.

3. Learned counsel for the Applicant, Mr. Dwivedi, submits that the surgery of the Applicant's minor daughter is scheduled to take place at Bai Jerbai Wadia Hospital for Children, Acharya Donde Marg, Parel, Mumbai, on 6th February 2026. He further submits that as per the hospital protocol, the presence and signature of the Applicant are mandatory on the consent forms, considering that the proposed surgery is a high-risk procedure.

4. In these circumstances, he seeks interim bail on medical ground for a period of 30 days.

5. Mr. Mayur Sonavane, learned APP appearing for the State, submits that the Applicant is incarcerated for the offence punishable under Section 103(1) of the BNS and is the main accused in the case. He further submits that there is a likelihood of the Applicant absconding if released on interim bail.

6. Heard learned counsel appearing for the respective parties and perused the documents placed on record with their assistance.

7. On record, there is a letter issued by Dr. Shreepal Jain, Pediatric Cardiologist, Bai Jerbai Wadia Hospital for Children, Acharya Donde Marg, Parel, Mumbai. As per the said letter, the child has been advised to undergo early transcatheter balloon/stent angioplasty of RSVC on 6th February 2026.

8. Considering the aforesaid medical exigency, I am inclined to enlarge the Applicant on interim bail for a limited period of 8 days from the date of his release, subject to the following conditions:

ORDER

- i) The Applicant is directed to be released on interim bail on furnishing a Cash Bail in the sum of Rs.20,000/-, for the period of 8 days from the date on which he is released;
- ii) The Applicant is directed to keep the Superintendent of Mumbai Central Prison, Mumbai apprised of the details of his whereabouts including the name of the Hospital, the name of the treating doctors, the relatives visiting him and any other information as required by the Investigating Officer /Jail authorities.
- iii) The Applicant is enlarged on interim bail for a period of 8 days from the date on which he is released.
- iv) The Applicant shall not tamper with evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

v) The Applicant shall surrender on 8th day of his release from the date on which he is released from Jail on or before 3.00 p.m.

9. Temporary Bail on medical ground is allowed, in the aforesaid terms and disposed of.

10. All parties to act on an authenticated copy of this order.

(DR. NEELA GOKHALE, J)

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SHIVGAN

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