



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPA) NO. 158 OF 2026

IN

CRIMINAL APPEAL NO. 94 OF 2023

(Dhiraj S/o Arunrao Shinde

Vs.

The State of Maharashtra, through Police Station Officer, Police Station,
 Frezarpura, Amravati.)

Corrected as per
 Court's order dated
 08.05.2026.

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Shweta P. Chavhan, Advocate for the Applicant/Appellant.
 Mr. M.J. Khan, APP for the Respondent/State.

CORAM: URMILA JOSHI-PHALKE AND
 NIVEDITA P. MEHTA, JJ.

DATED : 05th MAY, 2026

1. By this Application, the Applicant/Appellant is seeking temporary bail on the ground that he is suffering from appendix (appendicitis), kidney stones abdominal pain and Perianal Abscesses with Hemorrhoids etc. It is contended by the learned Counsel for the Applicant that, the condition of the Applicant is deteriorating day by day and he requires to take treatment at his own expenses at Patond Surgical Hospital, Ashirwad Nagar, Murtizapur, Maharashtra, and therefore, he be released on temporary bail.

2. This Application is strongly opposed by the learned APP, on the ground that, the medical treatment

papers shows that he was treated since 22.01.2024 continuously in Government Medical College and Hospital. He was advised for his admission but he has denied for the same as he somehow wants to release himself on bail. He submitted that, all possible treatments are available with the Government Medical College and Hospital, and therefore, considering the nature of the offence in which he is already convicted, the Application deserves to be rejected.

3. Heard learned Counsel for the Applicant as well as learned APP for the State.

4. The only contention of the learned Counsel for the Applicant is that he is suffering from various ailments, and therefore, he requires the treatment, and therefore, he be released on temporary bail.

5. As per the case of the prosecution the deceased Shailaja was residing alone in her house situated at Galli No.3, near Rangoli General Stores. In the intervening night of 30.01.2018 - 31.01.2018 some unknown person killed her by smothering her with pillow. She was shifted to Hospital. During investigation the involvement of the present Applicant was revealed, and therefore, he was arraigned as an accused. Against him the trial was conducted and the Trial Court after appreciating the evidence held him guilty and convicted by directing to undergo life imprisonment. Against the same he has already preferred an Appeal. Now this Application is filed by the Applicant for temporary bail on the ground that he is suffering from various ailments. The medical treatment papers which are filed on record shows that since 22.01.2024

time to time he was treated at the Government Medical College and Hospital. The last endorsement dated 28.04.2026 also shows that, he was treated in the Hospital and the opinion was given that he will require admission for further management of acute Appendicitis but the patient is not willing for the same, and therefore, he was not admitted in the Hospital. The conduct itself is sufficient to show that for one or the other reason he wants to release himself on bail, and therefore, he denying the treatment at the best Hospital which is already made available to him. Considering the medical treatment papers as well as the grounds raised in the Application, we do not find to use the discretion in favour of the present Applicant, and therefore, the Application deserves to be rejected.

6. In view of that, Criminal Application (APPA) No. 158/2026, is hereby **rejected**.

(NIVEDITA P. MEHTA, J.)

(URMILA JOSHI-PHALKE, J.)