

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

CRIMINAL APPLICATION NO.337 OF 2026
IN CRIMINAL APPLICATION NO. 1086 OF 2025

Rahul s/o Devidas Chaudhari

..vs..

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.V. Rai, Advocate for the applicant.
Mrs M.H. Deshmukh, APP for the State.

CORAM: M.M. NERLIKAR, J.
DATE : 13.02.2026.

Heard.

2. By way of this application, the applicant is seeking temporary bail on the medical ground. The applicant was arrested in connection with Crime No.105/2023 registered with Shegaon Police Station, District Buldana for the offence punishable under Sections 406, 409, 420, 120B, 506 and 507 of the Indian Penal Code.

3. The bail application of the present applicant has already been rejected by this Court on merits. Earlier the applicant was released on temporary bail for bypass surgery, however as the surgery was not conducted due to health issue, he was again released on temporary bail by this Court vide order dated 16.10.2025 and even thereafter from time to time his bail was extended.

4. Learned Counsel for the applicant submitted that as the applicant is suffering from abscess, he was operated and therefore he was unable to conduct bypass surgery/cardiac surgery. For abscess, operation was

conducted on 16.01.2026. Now, almost one month is over. The applicant has not undergone cardiac surgery due to abscess surgery. Therefore requested to grant him temporary bail for 8 months.

5. Learned APP appearing for the State has enquired in the matter with the concerned Doctor. They have stated that three months' time would be sufficient for bypass/cardiac surgery and recovery thereafter.

6. In view of the above facts and circumstances, as a last indulgence and in the interest of justice, in my opinion, the applicant can be released on temporary bail for three months, hence the following order :

- (a) The application is allowed and disposed of.
- (b) The applicant be released on temporary bail in connection with Crime No.105/2023 registered with Shegaon Police Station, District Buldana to undergo the bypass surgery for a period of three months, on furnishing P.R. bond of Rs.50,000/- with one surety in the like amount.
- (c) After three months the applicant shall surrender before the Superintendent of District Prison Buldana, irrespective of fact whether he has undergone surgery or not.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (e) The accused shall provide his residential address and cell number to Police Station concerned and

shall not change his place of residence without prior intimation to the Investigating Agency.

(M.M. NERLIKAR, J.)

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