

Dinesh  
S.  
Sherla

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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 1347 OF 2020**

Prashant D. Sankhe

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. S.V. Marwadi i/b Mr. N. M. Nadar for the Applicant.

Mr. J.P. Yagnik, APP for the Respondent – State.

PSI Mr. Avinash R. Dhakase, Palgar Police Station present.

**CORAM : N.R. BORKAR, J.**

**DATE : 30<sup>th</sup> DECEMBER, 2020.**  
**(VACATION COURT)**

**P.C. :**

1. This application is taken out for temporary bail on medical grounds.

2. The applicant came to be arrested in Crime No. 0124/2019 registered by Palghar Police Station for the offences punishable under Section 302, 364, 365, 120-B, 201 read with Section 34 of the I.P.C..

3. It is stated that on 4.12.2020, the applicant was admitted to J.J. Hospital as he had vomited blood. It is stated that though the applicant, thereafter came to be discharged on 7.12.2020, again he was admitted on 10.12.2020 as he had severe pain in

abdomen. It is stated that the applicant may therefore, be released on temporary bail to avail proper medical treatment.

4. This court by order dated 28.12.2020 directed the Superintendent of Central Prison, Thane to produce the medical case papers of the applicant. Pursuant to the said order, the Superintendent, Central Prison, Thane submitted the medical case papers of the applicant to this court.

5. I have perused the medical case papers of the applicant. It appears from medical case papers that the applicant is suffering from 'Severe Erosive Gastritis'. In this pandemic situation taking the applicant to the hospital frequently and bringing him back to prison would put the lives of other inmates at risk. The Applicant appears to be permanent resident of Palghar and it is not the case of the prosecution that if the applicant is released on temporary bail, then he would abscond. Considering these facts and circumstances, I am inclined to release the applicant on temporary bail. In the result, following order is passed.

- a. Bail Application is allowed.
- b. The applicant shall be released on temporary bail till 20.2.2021 on furnishing P.R.Bond in the sum of Rs.15,000/- with one surety in the like amount.
- c. Bail shall be furnished before the Trial Court.
- d. After expiry of the temporary bail period, the applicant shall surrender before the concerned authorities
- e. The applicant shall furnish the details of his hospitalization to the concerned police station.

**[N.R.BORKAR, J.]**