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

CRIMINAL BAIL APPLICATION NO.1466 OF 2018

Amol Jaywant Pawar ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr.Anand Patil, i/b Anand Patil and Associates, for the Applicant.

Mrs.P.P.Shinde, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 28th AUGUST, 2018

P.C. :

1. Heard learned counsel for the Applicant.
2. By this Application, the Applicant seeks temporary bail for a period of three months for medical treatment.
3. Learned Counsel for the Applicant submits that the Applicant is suffering from Lubmar and Cervical Spondylosis and that the said

treatment is not available in any Government Hospital or in C.P.R Hospital, Kolhapur. Learned Counsel relied on the certificate issued by the Chief Medical Officer, Kolhapur Central Prison, Kalamba, dated 16th May, 2018, which is on page 45 of the said Application. He submitted that the Applicant be permitted to undergo treatment in any Private Hospital i.e. either Metro Multispeciality Hospital, Kolhapur or Chougule Neurology Centre and Nursing Home, Kolhapur.

4. Learned APP does not dispute the fact, that the treatment sought by the Applicant is not available at the C.P.R. Hospital, Kolhapur or in any Government Hospital in Kolhapur. She states that the said treatment is available in J.J. Hospital, Mumbai. Learned APP, however, submits that the Applicant instead of being taken to J.J.Hospital, Mumbai, can be sent to any private Hospital for treatment, provided the Applicant bears the Doctor's charges.

5. It appears that the Applicant cannot be given treatment for his ailment in C.P.R. Hospital, Kolhapur or in any Government Hospital in Kolhapur. If the Applicant is sent to J.J.Hospital, Mumbai, the Applicant's

trial will get delayed. Hence, it would be appropriate to direct the Jail Authorities to take the Applicant for treatment to Chougule Neurology Centre and Nursing Home, Kolhapur, for investigation/check-up and on the advise of the doctor, for follow-up. It will be the responsibility of the the Jail Authorities to take the Applicant to the aforesaid hospital.

6. Learned Counsel for the Applicant states that the Applicant's family will inform the date and time of appointment with the Doctor, atleast 2 days prior, so that the Jail Authorities can make appropriate arrangment. The Applicant's family will take the appointment of the Doctor, anytime between 11.00 a.m. to 4.00 p.m.

7. The Jail Authorities, Kolhapur Central Prison, Kolhapur, shall ensure that the Applicant is taken to the Chougule Neurology Centre and Nursing Home, Kolhapur, on the date and time given for the Applicant's check-up/examination and for follow-up, if required. It is made clear that the Doctor's charges will be borne by the Applicant.

8. Application is accordingly disposed of.
9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)