

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

**CRIMINAL APPLICATION NO.594 OF 2019
IN
CRIMINAL APPEAL NO.1016 OF 2014**

Rahim Rais Khan

...Applicant/Appellant

vs.

The State of Maharashtra

...Respondent

Mr. Aniket Vagal for the Applicant/Appellant.

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

**CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA S. JOSHI, JJ.
DATE : 7/8/2019.**

P.C.:

. Prisoner is seeking proper medical treatment. This Court on 17/7/2019 has already passed order.

2. Learned APP upon instructions states that as effective treatment cannot be provided at Nasik, it has been decided to shift the petitioner to Aurangabad prison. From there it would be convenient to extend to him necessary treatment. We accordingly accept the statement and direct respondent to shift the prisoner to Aurangabad prison within a period of two weeks from today.

3. Learned counsel for the petitioner however states that even at Aurangabad the necessary treatment is not available. In order dated 17/7/2019 we have already taken note of the desire then expressed by relatives of the prisoner that family of the prisoner would spend for his

treatment at J.J. Hospital, Mumbai This desire is reiterated today by learned counsel.

4. In this situation, if the treatment is not available at Aurangabad, we direct respondent to inform the amount required for treating prisoner in J. J. Hospital, Mumbai. The cost of treatment and duty guards shall also be borne by family of the prisoner. If necessary amount is deposited, respondent shall make suitable arrangement for his treatment at J. J. Hospital, Mumbai.

5. Needless to mention that this direction to arrange for treatment at J.J. Hospital will operate only if the respondent finds that treatment is not available at Aurangabad.

6. With these directions the petition is disposed of.

(MRS. SWAPNA S. JOSHI, J.)

(B. P. DHARMADHIKARI, J.)