

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

CRIMINAL APPLICATION (BA) NO.51 OF 2020

(Dattatraya Krushnarao Shete Vs. The State of Maharashtra thr. PSO PS Awadhoot
Wadi, Yavatmal, Tah. & Dist. Yavatmal)

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

Court's or Judge's orders.

Shri A.S. Manohar, Advocate for Applicant.
Shri N.B. Jawade, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 28th FEBRUARY, 2020.

The applicant, who is arrested on 11.10.2019 in connection with Crime 234/2018 for offences punishable under section 420, 406, 409 read with section 34 of the IPC and section 3 and 4 of the Maharashtra Protection of Interest of Depositors Act, 1999 (MPID Act) is seeking enlargement of bail on medical grounds.

2] The applicant who is aged 70 years is suffering from high blood sugar and high blood pressure. It is submitted that even prior to the arrest, the applicant was advised to undergo angiography as he had symptoms of cardiac disease. The applicant is relying on the medical certificate issued by Dr. Vijay Bakhtar dated 28.09.2019.

3] The son of the applicant has filed on record additional affidavit dated 14.02.2020 which read thus:

2. On 27.01.2020 the applicant was produced in the Yavatmal Court by the jail authorities of Yavatmal and the deponent met the applicant in the court, at that time the deponent got knowledge that the applicant is not keeping well and is seriously ill. That, after taking next date from the learned court the applicant was taken back to the jail at Yavatmal. Thereafter, the deponent visited jail and met the applicant as per the procedure. At that time the pharmacist of jail gave prescription to the deponent for the medicines for the applicant. The same was purchased by the deponent for the applicant.

3. It is vital to inform this Hon'ble Court the deponent got knowledge from jail authorities that the doctors at Yavatmal Government Hospital have advised that the applicant be treated at Nagpur Government Hospital, therefore, on 30.01.2020 the applicant was brought to Nagpur Government Medical College & Hospital and was taken back to Yavatmal after treatment.

4. That, thereafter on 06.02.2020 the applicant was again brought by Yavatmal Jail authorities to Nagpur Government Medical College and Hospital for treatment and was taken back to Yavatmal after treatment.

5. That, recently the deponent got knowledge that the applicant is now shifted to Nagpur Central Jail for the purpose of treatment at Nagpur Government Medical College and Hospital. The deponent also got knowledge that as the condition of the applicant is serious therefore, he is being treated at Super Speciality Hospital, GMC, Nagpur.

6. The deponent was also informed by the

Jail authorities that the applicant's condition is serious and he is advised by Doctors to get treatment from experienced Cardiologist and Nephrologist urgently. It is further submitted that the operation of the eye of the applicant is also suggested by the Doctors but as the blood pressure and sugar levels of the applicant are not normal, therefore, the same is not performed yet.

4] The prosecution has fairly produced on record the documents of the treatment given to the applicant at Yavatmal and Nagpur.

5] The documents reveal that the applicant is suffering from cardiac problem, chronic kidney disorder and left ventricular failure in addition to blood pressure and sugar.

6] Considering the medical conditions of the applicant, the application is allowed.

7] The applicant be released on bail on furnishing personal bond of Rs.25,000/- with a surety of like amount.

JUDGE