

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

**CRIMINAL BAIL APPLICATION NO. 1283 OF 2020**

|                          |                 |
|--------------------------|-----------------|
| Mohammed Jamal Nadaf     | .... Applicant  |
| Versus                   |                 |
| The State of Maharashtra | .... Respondent |

Mr. Advait Tamhankar i/b Taraq Sayed, for the Applicant.  
Ms. Pallavi N. Dabholkar, APP for the State/Respondent.

**CORAM: SARANG V. KOTWAL, J.**  
**DATE : 19<sup>th</sup> JANUARY, 2021**

**P.C. :**

1. This is an application for temporary bail for a period of 8 weeks to undergo surgery for replacement of plating installed in the jaw of the applicant.

2. Heard Mr. Advait Tamhankar, the learned advocate for the applicant and Ms. P.N. Dabholkar, the learned APP for the State.

3. The learned counsel for the applicant submitted that the applicant is facing charges for the commission of offences punishable under sections 302, 364, 364(A), 118,

212, 120B of the Indian Penal Code, under Sections 3, 4 r/w 25 of the Indian Arms Act and under various sections of MCOC Act in connection with C.R. No. 116 of 2015 registered at Sanjaynagar Police Station, District Sangli.

4. Initially the applicant was lodged in Yerwada Jail. He was brutally attacked by other inmates on 03/07/2019 and he had to undergo multiple surgeries for implantation. The learned Counsel for the applicant submitted that this implantation requires periodic replacement. It is mentioned in the application that the applicant is referred to Sir J.J. Hospital for follow up, but the hospital staff was reluctant to replace the plates despite the applicant having complained about it.

5. On the last occasion, the learned APP was directed to produce a report of Medical Officer. Accordingly a report of the Chief Medical Officer of Taloja Central Prison, where the applicant at present is detained is tendered before this Court. The report is taken on

record and marked as "X" for identification. It is mentioned in the report that the applicant was examined by Chief Medical Officer on 11<sup>th</sup> January 2021, for complaints of Nasal bleeding, hearing loss in right ear, pain in all teeth; for which, conservative and symptomatic treatment was provided to him in the prison hospital. The applicant, because of the dental problem was unable to consume solid food items and therefore he was provided bread to ingest easily and other medical diet prescribed for him. He was permitted to receive high protein food from outside or from his family members. He was referred to Sir J.J. Group of Hospitals on five occasions, since December 2019 for various complaints and according to the examination and finding, the health condition of the applicant is stable. The prison has facility of dental unit.

6. Considering this medical report, it is clear that the applicant's medical needs are taken care of. This application is not on merits. From the sections applied, it

appears that he is facing a case involving serious offence. Therefore no case for temporary bail is made out. However, jail authority is directed to provide adequate medical facilities and food. His health should be looked after diligently. Application is disposed of in aforesaid terms.

**(SARANG V. KOTWAL, J.)**