

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

**INTERIM APPLICATION NO. 617 OF 2022
IN
CRIMINAL BAIL APPLICATION NO. 1347 OF 2022**

Mr.Namdev Pandurang Koyande

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr.Shantanu P. Phanse for Applicant.

Ms.Rutuja Ambekar, APP for State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 22 MARCH 2022

P.C. :

This is an Application for bail on medical grounds. The Applicant was arrested in Crime No.14 of 2020 registered with Badlapur East Police Station, Thane, for offences punishable under Sections 302 and 506 of IPC.

2. Learned Counsel for the Applicant states that the Applicant is of advanced ages. The Applicant is detected with Hepatocellular Carcinoma (Liver Cancer); that he requires proper treatment in a private hospital and that the Applicant wants to take treatment at Global Hospital, Parel, Mumbai. The Applicant has placed on record certificate issued by Global Hospital, Parel, Mumbai wherein the doctor has certified that the Applicant has decompensated liver cirrhosis since February 2021 and he is presently detected with Hepatocellular Carcinoma (Liver Cancer) for which he will require treatment, close monitoring and regular follow up with blood tests

and imaging. The prosecution was called upon to ascertain the authenticity of the said certificate.

3. Learned APP has placed on record report submitted by Superintendent of Jail along with medical report submitted by Medical Officer, Kalyan District Prison Class-I, Kalyan. The medical report also states that the Applicant is diagnosed as a case of decomposition liver disease with Ascitis (managed conservatively) with portal hypertension with iron deficiency anemia with mild prostatomegaly. The report further indicates that USG was done. That USG shows altered liver echotexture with irregular surface likely signs of liver parenchymal disease. Mild splenomegaly with gross Ascitis and dilated portal vein.

4. Considering the age and medical condition of the Applicant, in my considered view, this is a fit case for grant of temporary bail so as to enable the Applicant to take proper treatment in a private hospital. In the circumstances, the application is allowed.

5. Hence, the following order:

(a) The Applicant is ordered to be released on bail for a period of **ten weeks** from the date of release in connection with Crime No.14/2020 registered with Badlapur East Police Station, Thane, on furnishing P.R. Bonds in the sum of Rs.25,000/- with one or two sureties in the like amount.

(b) The Applicant shall surrender to the Jail authorities after completion of bail period of ten weeks from the date of release

from jail.

(c) The Applicant shall provide details of the hospital where he shall take treatment and further give details and contact number to the jail authorities.

6. The interim application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)