

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.446 OF 2024

Santosh Rammurat Yadav .. Applicant
Versus
State of Maharashtra .. Respondent
...

Mr.Nitin Sejpal a/w Mrs. Pooja Sejpal, Ms.Akshata Desai for the applicant.
Smt.Mahalakshmi Ganapathy, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 8th MAY, 2024

P.C:-

1 The applicant, whose bail application has been rejected on earlier two occasions, has approached this Court seeking a direction to the Superintendent of Thane Central Prison, Thane to examine him through the expert Doctors at Sir J.J Group of Hospitals and to call for a detail report of his health condition.

 Mr. Sejpal has placed on record, the discharge card dated 29/01/2024, when the patient was discharged from J.J Group of Hospitals and worth it to note that as per the said report at the time of his discharge, he was found to be Hemodynamically stable and responding to the treatment.

2 The learned APP has placed before me an order passed by the Additional Sessions Judge at Dindoshi on 2/04/2024, wherein it is recorded as under:

Ashish

“As per the report of the Jail Superintendent, Thane Central Jail Thane and Chief Medical Officer, the accused had been send for treatment on J.J. Hospital on 27/03/2024. The report of the doctor of the said hospital is shown that though the patient had been advised to get admitted in the hospital for treatment, he refused to do so. In such circumstances, nothing more can be done regarding the medical complaints of the accused Santosh Yadav”.

3 It is no doubt true that despite incarceration, if an accused is suffering from ailment or any health issue, he deserve the necessary medical treatment and it appear that, in case of applicant, his health is being supervised by J.J. Group of Hospitals, as he was detected with tuberculosis. The Report produced by Mr. Sejpal of January, 2024, state that he is stable.

4 However, I deem it appropriate to direct the Jail Superintendent, Thane Central Prison, to forward him to J.J Group of Hospitals within period of two weeks from today and get his health parameters checked.

Let the report of his medical examination be placed before this Court, before the next date of hearing.

Re-notify to 20/06/2024. To be listed at 2:30 p.m.

(SMT. BHARATI DANGRE, J.)