

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

BAIL APPLICATION NO. 446 OF 2024

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

Mr. Nitin H. Sejpal a/w Mrs. Pooja N. Sejpal and Mr. Siddharth Gharat
for the Applicant.

Mr. Kiran C. Shinde, APP for Respondent-State.

Mr. C.D. Dalvi, PSI, Kasturba Marg Police Station.

**CORAM: MANISH PITALE, J.
DATE : 9th OCTOBER 2024**

P.C. :

- . Heard learned counsel for the applicant.
2. In the present case, admittedly earlier bail application moved by the applicant was considered and dismissed on merits by this Court (Coram: Bharati Dangre, J.) by order dated 8th September 2023 passed in Criminal Bail Application No. 970 of 2023.
3. In that light, the present bail application was being pressed mainly on the ground of ill-health of the applicant. It is emphasized that the applicant was arrested on 18th January 2021, showing that he has undergone incarceration for a period of 3 years and 9 months, coupled with the fact that he has been suffering from pulmonary tuberculosis for a considerable period of time.
4. Since the bail application was being pressed essentially on the health condition of the applicant, this Court called for a report

in that regard. The learned APP has tendered the report forwarded on 1st October 2024 by the Superintendent of the Jail and also signed by the Chief Medical Officer of the prison. A perusal of the said report shows that the present health status of the applicant is that his vitals are stable and he is hemodynamically stable. It is recorded that the applicant, despite his reluctance, was admitted to the J. J. Hospital and a procedure of lung decortication was also carried out on 13th July 2024 and that follow-up treatment was also given.

5. Considering the aforesaid medical report of the applicant, his present health condition appears to be stable and the applicant has not made out a case for being granted bail only on medical grounds. The proceedings before the trial Court are now listed for framing of charges on 4th November 2024.

6. In that light, the instant application is dismissed with a direction to the concerned trial Court to expedite the proceedings in the present case.

7. If substantial progress is not made before the trial Court within one year and the delay is not attributable to the applicant, liberty is reserved for the applicant to renew his prayer for bail.

8. Needless to say, the Superintendent of the concerned Jail is directed to ensure that proper medical care is provided to the applicant.

MANISH PITALE, J.