

Nandan Dinesh Yadav and another Vs. State of Maharashtra	...	Applicants Respondent
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Ms. Nikita Mandaniyan a/w. Mr. Abhishek Sathe for Applicants.

Ms. Rutuja A. Ambekar, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : NOVEMBER 25, 2024

P.C. :

. On 24.11.2024 (yesterday), the present application had to be taken up for consideration by the alternative Bench in Chambers due to extreme urgency projected on behalf of the applicants. After hearing the learned counsel for the applicants, this Court (Coram : Shivkumar Dige, J.) directed as follows:-

“3. Notice has not been served upon the other side.

4. It is contention of learned counsel for the applicants that it is informed that applicant No.1 has suffered mild heart attack and he has been treated in jail. In jail, there is no facility to treat heart attack patients, hence, requested for direction to be given to the jail authority for giving proper treatment to applicant No.1.

5. Considering the submissions of learned counsel for applicants, the jail authority is directed to provide proper treatment to applicant No.1 and, if required, send him to proper hospital for taking treatment.

6. Issue notice to the respondents returnable on 25th November 2024.

7. List the matter before the concerned Court tomorrow i.e. on 25th November 2024.

8. All concerned to act upon authenticated copy of this order.”

2. In this backdrop, the learned counsel for the applicants mentioned this application today in the morning at 10:30 a.m. and in the light of the order passed yesterday, the application was directed to be listed in the Production Board at 2:30 p.m.

3. Upon the application being taken up for consideration, the learned counsel for the applicants reiterated submissions pertaining to the medical condition of applicant No.1 and on that basis, urged that this Court may consider enlarging the said applicant on bail.

4. The learned APP had called for a report from Mumbai Central Prison. The Chief Medical Officer of Mumbai Central Prison has submitted a detailed report, which records that although the blood pressure of the applicant No.1 had shot up, due to which, he had to be rushed to the hospital, the treatment given to the applicant No.1 at Sir J. J. Hospital resulted in his condition stabilizing. It was recorded that the applicant No.1 appeared to have suffered a mild heart attack. But upon treatment being given, his condition improved and now he is under monitoring and medication of the said hospital.

5. Considering the aforesaid report, no case is made out for granting any urgent relief in the present application.

6. The applicants appear to have been arrested in August 2024 in connection with FIR No.707 of 2024, for offences under Sections 125, 327 and 61(2) of the Bhartiya Nyaya Sanhita, 2023 (BNS).

7. The allegations levelled against the applicants *prima facie* appear to be serious, and therefore, the application will have to be heard in detail for being considered on merits.

8. List the application for consideration on 16.12.2024, High on Board.

9. Needless to say, the jail authorities are directed to ensure that proper medical treatment is given to the applicant No.1 and to monitor his health condition, so that if any emergency arises, the same is attended to promptly.

(MANISH PITALE, J.)

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