

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 184 OF 2025
WITH
INTERIM APPLICATION NO. 211 OF 2025

Mohammed Farooq Mohammed Hanif Shaikh .. Applicant

Versus

The State of Maharashtra .. Respondent

.....

- Mr. Abad Ponda a/w Mr. Sandeep Karnik & Mr. Vishwajeet Nimbalkar i/by Mr. Sandeep Karnik for Applicant
- Ms. Rajeshree V. Newton, APP for State
- Ms. Komal Kandharkar, Special Counsel for State

.....

CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 21, 2025

P. C.:

1. Heard.
2. Praecipe for urgent hearing filed by Applicant states that Applicant is suffering from medical ailments. Interim Application is also filed by Applicant seeking bail on medical grounds.
3. It is seen that there is documentation annexed to the Interim Application from page No. 27 (Exh. A) onwards. It is stated that Applicant is suffering from following medical ailments:-

- (i) During a urine routine examination conducted on 10.01.2025, it has come out in his medical report that the RBCs in the urine are at a whopping 10-12 units per HPF.

It is important to note that the normal range for the same is only 2 RBC units per HPF;

- (ii) That there is blood coming out of his nose and ears which requires an urgent MRI scan;
- (iii) That hemoglobin levels are very high in his body. The aforesaid circumstances leads to blood clotting which is a known symptom before heart attack;
- (iv) That recently he is suffering from various dental problems and he is not being able to eat properly because of the same. Additionally he has also been vomiting blood;
- (v) That he is also suffering from gastric problems and it is a known fact that some gastrointestinal problems can increase the risk of cancer. However the Gastro department is not available in JJ Hospital;
- (vi) That there is huge swelling in his legs since almost a year;
- (vii) That he is also suffering from severe mental illnesses and depressive disorder.

4. In view of the above, concerned Jail Authority is directed to present the Applicant before the Medical Board of KEM Hospital, Mumbai or Sion Hospital, Mumbai as per its convenience. Dean of the either Hospital where the Applicant will be examined is directed to prepare a report after examining the Applicant about status of medical ailments and treatment required to be given to the Applicant.

5. This order is passed because the State run JJ Hospital does not have Department of Gastroenterology which is one of the principal ailment suffered by Applicant.

6. Let the Applicant be presented before either of the Hospitals within a period of one week from today. Report shall be placed before this Court in a sealed envelop on or before the next date.

7. Stand over to **30th January, 2025.**

Amberkar

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR
Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2025.01.21
14:20:10 +0530