

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.998 OF 2025

Krushnaprakash Ramji Yadav @ Krishnaprakash .. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Ms. Tripti Shetty, Advocate for Applicant.
- Ms. Megha S. Bajoria, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 07, 2025

P.C.:

1. Heard Ms. Shetty, learned Advocate for Applicant and Ms. Bajoria, learned APP for Respondent.

2. On 30.04.2025, the following order was passed:-

“1. Mentioned at the time of rising of the Court.

2. Heard Ms. Shetty, learned Advocate for Applicant; Ms. Bajoria, learned APP for Respondent No.1 – State and Ms. Qureshi, learned Advocate for Respondent No.2.

3. Applicant before me through his Advocate has persuaded the Court to consider his medical ailment as stated in the praecipe and the medical papers appended thereto. Copy of the praecipe and the medical papers are given to Ms. Bajoria, appearing for Respondent – state.

4. The Chief Medical Officer, Mumbai Central Prison, Mumbai where the Applicant is lodged is directed to ascertain the medical condition of the Applicant on the basis of papers which are appended to the praecipe and place on record the prisoner’s medical / health report to enable the Court to consider the request made by the Applicant for grant of bail on medical grounds.

5. Learned Advocate for Applicant would submit that Applicant is suffering from a rare medical ailment which is a type of Arthritis known as Ankylosing Spondylitis. The Chief Medical Officer is directed to place the report before Court through the learned APP within a period of one week from today.

6. Ms. Shetty has drawn attention of Court to the fact in view of the above medical ailment, a special injection namely ‘Adalimumab –

40 mg. is required to be administered to the Applicant which was until his arrest given to him by the Railway Hospital since Applicant was a Railway employee. However, thereafter the said injection is not given to him resulting in his present precarious condition.

7. The Chief Medical Officer shall ascertain the above fact since details of the said injection are also given in the papers appended to the praecipe and also comment upon the same as to whether the said injection is being administered to him at present or otherwise in order to enable the Court to consider the request made by Advocate for Applicant.

8. List the Bail Application on Board on 7th May 2025. To be placed under the caption 'For Directions and Compliance'."

3. Matter is for directions and compliance today.
4. Learned APP has placed before me report of the Chief Medical Officer dated 07.05.2025 with respect to Applicant's medical ailment and condition. *Prima facie*, reading the said report shows that Applicant is having complaint of low back ache and is being provided treatment and advice by the Orthopedic surgeon of Sir J. J. Hospital.
5. With respect to issue pertaining to injection as noted in the aforesaid order, in paragraph No.10 of the report it is stated that said injection is no longer prescribed to be given to Applicant after his consultation with the Orthopedic Surgeon from Sir J. J. Hospital on 19.04.2025.
6. Learned APP has taken express instructions on the phone from the jail Hospital and would submit that even today he was referred to the Orthopedic Surgeon in Sir J. J. Hospital for further consultation and reference.
7. She would submit that an appropriate report on the basis of

today's meeting and consultation with the Orthopedic Surgeon from Sir J. J. Hospital shall be filed by the prosecution to apprise the Court about the Applicant's precise medical ailment and condition as also whether the injection required to be administered to him is required to be continued or otherwise.

8. Countering the aforesaid submissions Ms. Shetty would persuade the Court to consider the fact that Applicant was being administered Adalimumab injection every 15 days but since January – 2025 said injection has not been administered to him which would deteriorate his condition. This shall be considered by the Chief Medical Officer at the time of filing the further Report to the Court.

9. The Report of Chief Medical Officer is *prima facie* clear and does not require any further input required to be made by this Court.

10. The prosecution is directed by this Court to file final report after today's consultation of Applicant before the Court within a period of one week from today. Copy shall be given to Ms. Shetty, Advocate for Applicant.

11. Once report is filed, liberty to Applicant to move vacation bench if so desired for seeking bail with prior notice to prosecution.

12. Stand over to **02nd July, 2025.**