

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

BAIL APPLICATION NO. 4085 OF 2025

Satish Vishnu Gavand.	...	Applicant.
V/s.		
State of Maharashtra.	...	Respondents

Mr. Bharathy Palaniappan a/w Mr. Harshad V. Nimbalkar and Satyam Harshad Nimbalkar, i/b. Mr. Abhishek U Arote for Applicant (Through VC)
Mr. Prashant P. Jadhav, A.P.P. for the Respondent- State.
Mr. Mahesh Jadhav, API, Crime Branch, Navi Mumbai.

SANJAY
KASHINATH
NANOSKAR

Digitally
signed by
SANJAY
KASHINATH
NANOSKAR
Date:
2025.10.27
12:55:13
+0530

**CORAM : RANJITSINHA RAJA BHONSALE, J.
(VACATION COURT)**

DATE : 24th OCTOBER 2025

PC.:-

1. Heard the Advocates for the parties. By the present application, the Applicant seeks extension of temporary bail on medical grounds. The Applicant was initially granted temporary bail by order dated 8th July 2025, which was subsequently extended from time to time, and lastly extended by order dated 13th October 2025 till 22nd October 2025. The Applicant, now seeks, a further extension of 4 weeks, from 23rd October 2025.

2. On 22nd October, 2025 this Court, after hearing the learned Advocate for the Applicant, had directed the Learned APP to verify the

medical prescription and medical documents of the Applicant, and take instructions from the jail authorities about the medical facilities available in the jail. The learned APP, was also asked to take instructions, if arrangements can be made for providing physiotherapy to the Applicant. In the interim, by an order dated 22nd October, 2025, this court had extended the temporary bail till 24th October 2025.

3. The Learned APP, having sought instructions, submits that the medicines, as per the Applicant's prescription can be provided to the Applicant. Learned APP further submits that, after taking medical advice from the Government Hospital, arrangements can be made for providing physiotherapy to the Applicant and that the washroom facilities (western style commode) are also available in the prison. The learned APP, submits that he has received written instructions in that behalf. API Mahesh Jadhav, Crime Branch, Navi Mumbai, is also present in the Court.

4. Learned Senior Advocate appearing for the Applicant, reiterates that, the Applicant requires post operation care, bed rest and physiotherapy. He submits that, by order dated 4th October, 2025, passed by the Additional Sessions Judge, Panvel in Special Case No.241 of 2023, the Applicant was granted further extension of one month. The learned Advocate for the Applicant, whilst referring to Para No.4 of the said order dated 4th October, 2025 submits that, the learned Additional Sessions Judge, Panvel was of the opinion that the Applicant required further

monitoring and daily post-operative care including physiotherapy, wound care, anti-inflammatory medication, anti-biotic and follow-up consultation. He submits that, in view of the facts of the present case, the extension of temporary bail, on medical grounds, granted till 22nd October 2025, by the learned Additional Sessions Judge, Belapur in MPID Special Case No. 911 of 2023, vide order dated 13th October, 2025 requires to be extended by 4 weeks.

5. I have heard the learned Advocates appearing for the parties and perused the papers. I have also perused the order dated 6th October 2025 passed by the learned Additional Sessions Judge, Belapur at Exh.19 in MPID Special Case No. 911 of 2023. The learned Additional Sessions Judge, after referring to the medical procedure undertaken by the Applicant and after perusing medical documents, certificates, etc. has specifically observed that,

“.... . Lastly, it is mentioned ‘considering the above medical condition, the patient requires consistent, uninterrupted medical attention and treatment on daily basis’. This summary was silent about the status of the applicant whether he was indoor patient after the said surgery but later on an undated certificate is given by the hospital showing that the applicant is under observation in Ortho with post surgery. As stated earlier, none of the certificates are clear about the days required for the applicant to remain in hospital. Already the applicant was released on interim bail

from 05.07.2025 for 3 months i.e. till date. He is accused of a serious economic offence. Initially the medical reports suggested that the applicant required only rest with strict non-weight bearing for 8 weeks and restrictions in knee bending. Therefore, the interim order is extended till 13.10.2025 only. If the medical officer of the concerned hospital is of the opinion that the applicant needs to be an indoor patient for more than a week, on 13.10.2025 he shall appear before the Court at 11.00 am and explain in writing the proposed duration of the applicant's stay in hospital."

6. The learned Additional Sessions Judge, Belapur by his order dated 13th October 2025, passed in MPID Special Case No. 911 of 2023, was pleased to extend temporary medical bail till 22nd October, 2025.

7. The record indicates, that the applicant has been on temporary medical bail from 8th July, 2025. By the order dated 8th July 2025, the applicant was granted temporary medical bail, for a period of one month. The Applicant, has on three occasions i.e. 6th August, 2025, 4th October, 2025 and 13th October, 2025 extended the said temporary bail for period of 8 weeks, one month and 10 days respectively. In short, the Applicant has been on temporary medical bail for a period of more than three and half months. A perusal of the order, dated 6th October 2025 reveals that the Applicant has successfully undergone, a right knee arthroscopy surgery, on 30th September 2025. The order records that the certificates

submitted by the Applicant are not clear about the days required by the Applicant to remain in hospital. An undated certificate is produced. The said observation has been specifically made by the learned Additional Sessions Judge, Belapur. The order dated 6th October 2025, further records that initially the medical reports suggested non weight bearing for 8 weeks. It is a matter of record that the Applicant has been on temporary medical bail since 8th July 2025 i.e for more than 15 weeks. Most pertinent to note, that the learned APP, on instructions states that, the required medicines and medical care can be provided to the Applicant, by the Jail Authorities.

8. Taking an overall view of the aforesaid facts, considering the medical papers, the observations made by the learned Sessions Judge in his order dated 6th October, 2025 and the fact that, applicant is on temporary medical bail for more than 15 weeks, I am not inclined to extend the temporary bail granted to the Applicant by an order dated 8th July, 2025. The Applicant is directed to surrender before the Jail Authorities of Taloja Central Prison, Navi Mumbai on or before 5.00 pm of 28th October, 2025.

9. It is needless to mention that, after the Applicant surrenders to the Jail Authority, he being in a judicial custody, it is the imperative duty of the Respondent-State to provide all the necessary medical facilities and treatment to the Applicant without any demur. In the event, the

Applicant requires medical attention, the Respondent-State, is obliged to provide it, to the Applicant, at its own cost and without any expenses in that behalf.

10. List the matter on 30th October, 2025, for compliance.

(RANJITSINHA RAJA BHONSALE, J.)