

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4562 OF 2025**

Erum Mohammad Iqbal Bashey

...Applicant

Versus

Union of India & Anr.

...Respondents

Mr. Advait Tamhankar, *i/b Shekhar S Bhandary, for the Applicant.*

Ms. Neha Patil, *for the Respondent No.1.*

Ms. Megha S. Bajoria, *APP for the Respondent-State.*

CORAM DR. NEELA GOKHALE, J.

DATED: 16TH DECEMBER 2025

PC:-

1. By this Bail Application, the Applicant seeks her release on interim bail for a period of eight weeks on the ground that the Applicant's current status is life threatening and cannot be safely managed within the jail environment, especially considering the need for dialysis, neurological monitoring post paralysis, high risk medication protocols and emergency care for renal instability.

2. By order dated 8th December 2025, considering the averments made in the Application, the Medical Officer of the Mumbai District Women's Prison, Byculla, Mumbai, was directed to submit a health status report in respect of the Applicant from the said Prison.

3. Today, the said Report is tendered by Ms. Megha Bajoria, learned APP representing the State in the matter. The same is taken on record.

4. I have perused the Report. The Report confirms the averments made in the Application by the Applicant. It appears that the Applicant's case is that of Chronic Kidney Disease – End Stage V on haemodialysis with hypertension with anaemia in chronic disease. It also appears that the Applicant is on haemodialysis at JJ Hospital and all her medications are being given to her in the Jail. Medical Authorities of JJ Hospital have recommended that she be referred to a Psychiatry Ward and packed cell volume/blood be given to her to correct her anaemia. She also had a brain

stroke in August 2025 during her dialysis at JJ Hospital. It thus, appears from the Report that the Applicant is in need of urgent medical treatment, which may not be available in the Prison Hospital / JJ Hospital, Mumbai.

5. In these circumstances, I am inclined to grant interim medical bail to the Applicant for a period of eight weeks from the date on which she is released from Mumbai District Women's Prison, Byculla, Mumbai, to be admitted to a private hospital of her choice. The Applicant is directed to keep the Jail Authorities informed regarding her whereabouts and her medical details including, but not limited to the name of the Hospital in which she is proposed to be admitted and operated; name of the treating doctors; name and phone numbers of the family members/relatives visiting the Applicant and other such details, which may be required by the Jail Authorities/ Investigating Officer. On the expiry of the last day of the eighth week of her release, the Applicant is directed to surrender before the authorities of the Mumbai

District Women's Prison, Byculla, Mumbai at or before 5.00 p.m.

6. Accordingly, the Bail Application seeking temporary bail on medical grounds is allowed in the aforesaid directions and disposed of.

(DR. NEELA GOKHALE, J)

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