

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.268 OF 2026**

Akrishnaprakash Ramji Yadav

...Applicant

Versus

State of Maharashtra and Anr.

...Respondents

Mr. Sachin Thombare, *for the Applicant.*

Ms. Anuja S. Gotad, *APP for the Respondent - State.*

PSI – Sachin Tambe, MIDC Police Station, Mumbai, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 03RD FEBRUARY 2026

PC:-

1. The Applicant seeks his enlargement on bail for a period of three months in connection with C.R.No.701 of 2024 dated 27th October, 2024 registered with the MIDC Police Station, District: Brihanmumbai City, for the offences punishable under Sections 137(1)(b), 137(2), 64(2)(i), 65(1), 143 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short 'BNS') and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO').

2. By order dated 28th January, 2026, Ms. Gotad, learned APP was requested to call for a report from the Medical Superintendent of Arthur Road Jail regarding the health status of the Applicant.

3. Today, the Chief Medical Officer, Mumbai Central Prison, Mumbai has submitted report dated 2nd February, 2026 through Ms. Gotad. The same is taken on record and marked as Exhibit 'X'.

4. The medical report reads thus:

“The said prisoner on arrival to Mumbai Central Prison provided his past Medical Records which suggested he is known case of Ankylosing Spondylitis. He was referred to Orthopaedic Surgeon of Sir J.J. Hospital, Mumbai, who further referred him to Rheumatologist at Nair Hospital, Mumbai. The said prisoner was sent to Nair Hospital for consultation and he was examined by Rheumatologist, various investigations were done and he was advised Medications. He was continued on medications as advised, however, he was also prescribed Inj. Adalimumab 40 to be taken every 15 days, which was not available with Prison. The said injection is a biological injection with high cost, a proposal to arrange for the same was sent to

prison administration. However, it was instructed to continue the treatment at Government Hospital at free of cost.

The said patient was sent to Sir J.J. Hospital with request to provide treatment free of cost, however they also mentioned the said injection is not available and demanded funds for procurement of Injection, which was not sanctioned. He was later discharged with advice to take Inj. Adalimumab.

He was referred to Nair Hospital again where also he did not receive the injection. KEM hospital and Sion Hospital were also telephonically enquired about the availability of Inj. Adalimumab, but they also did not have the same. Hence, he was kept in Prison Hospital for observation and treatment. He was continued on secondary drugs which were being prescribed by Rheumatologist of Nair Hospital.

8) MEDICAL ADVICE:

The Rheumatologist has advised "He has very aggressive disease beyond doubt and it will be imperative that he receives proper and timely treatment to prevent deformities." "Possible complications of delay in treatment-1-spine deformity or spine fusion which is irreversible. 2- changes, lung issues. 3-poor Rx in jail can aggravate the disease to refractory position where more drugs may be required in future."

9) PRESENT HEALTH STATUS: *the said prisoner is currently admitted at Sir J.J. Hospital. He was sent to Sir J.J. Hospital on 31.01.2026 for his complains of persistent severe abdominal pain not resolving on medications. He was examined by Medical Officer of Sir J.J. Hospital and admitted as indoor patient on 31.01.2026 and continues to be admitted since then."*

5. Considering the medical advice by the doctors of the Prison, the diagnosis and the treatment required to be given to the Applicant, which is not available in the prison nor in the government hospital, I am inclined to enlarge the Applicant on bail for a period of three months from the date of his release on following conditions and it is ordered as under:-

ORDER

- i) The Applicant is directed to be released on interim bail on furnishing a Cash Bail in the sum of Rs.25,000/- for the period of three months from the date on which he is released;
- ii) The Applicant is directed to keep the Superintendent of Mumbai Central Prison, Mumbai apprised of the details of his whereabouts including the name of the Hospital, the name of the treating doctors, the relatives visiting him and any other

information as required by the Investigating Officer /
Jail authorities.

iii) The Applicant is enlarged on interim bail for a
period of three months from the date on which he is
released.

iii) The Applicant shall not tamper with evidence
or attempt to influence or contact the complainant,
witnesses or any person concerned with the case;

iv) The Applicant shall surrender to the jail
authorities concerned, at or before 03:00 pm. of the
last day of third month from the date on which he is
released.

6. Temporary Bail on medical ground is allowed, in
the aforesaid terms.

7. All the parties shall act on an authenticated copy
of this order.

(DR. NEELA GOKHALE, J)