

SESSIONS CASE NO.38 OF 2009 AND OTHERS**Order below Exh.303.**

(1) Perused the application of the accused No.11, Safdar Hussain Nagori and the reply of the Jail Authority on record vide Exh.325.

(2) Through this application, the accused has complained about unsatisfactory medical treatment, violation of his human right and non-issuance of production order and sufferings of the accused as a result of it.

(3) My learned predecessor has directed the Jail Superintendent to file his reply and to take necessary action on 21/12/2011.

(4) Vide Exh.325, the Jail Authority has filed its reply stating therein that they are satisfactorily discharging the duties and are providing proper medical treatments to the accused, medical camps are being conducted, routine rounds of the doctor are also been taken and that the treatment is provided as per Jail Manual and they are even referred to Civil Hospital. He has however, clarified that unless the order of this Court and revocation of the order by the State Government

under Section 268 of Cr.P.C. is passed, nothing can be done qua the production warrant.

(5) It needs a note that the accused now seems to be given proper medical treatment, but still however, without opining that the medical treatment was not given or human rights were violated by the Jail Authority, the Jail Authority is directed to give proper medical facilities to all the accused and to not violate human rights of any accused in the Jail.

It needs a specific clarification that today this Court has passed necessary order qua the production warrants of different accused including the present applicant-accused. Hence, this prayer seems to be redundant.

In view of the foregoing discussion, the following final order is passed.

ORDER

A) The Jail Authority is directed to provide necessary medical help to all the accused and to see to it that the human rights of the accused are not violated. It is clarified that this order is not passed after having concluded anything against the Jail Authority, but this order is passed in general as numerous such applications

are also to be disposed of on this line. It needs a note that this Court has also visited Jail Hospitals and Jail Dispensary and the over all impression is created that reasonably good medical help is provided to the accused.

B) As far as the prayer for production warrant is concerned, the relief is still found redundant, no other order needs to be passed for the said prayer.

In light of the above directions, this application stands disposed of.

Pronounced in the open Court today on this 2nd day of May, 2012.

Date :- 02/05/2012.

**(Dr. Smt. Jyotsna Yagnik)
Special Judge,
for speedy trial of serial
Bomb blast cases.**