

Order On Bail Application In RCC No.301/2025 At Exh.39.

State Vs. Dilip & Ors.

(C.N.R.NO.MHLA060026512025)

01. This is the application filed by accused No.2 for extension of interim bail granted to him on medical grounds.

02. Perused the application and say of Ld. APP. Perused the documents.

03. The accused averred in the application that this Court has granted him interim bail on medical grounds. He is suffering from Right Recurrence of Inguinal Hernia with Prostatism/Urethral Stricture. He was initially examined at Vilasrao Deshmukh Government Medical College, Latur and concerned doctor had issued medical certificate stating that he required repair of Recurrence of Right Inguinal Hernia with Cystoscopy SOS Optical Internal Urethrotomy. The said surgery and preoperative procedures are yet to be completed and accused No.2 requires further time for undergoing the surgery and post operative recovery. Accused No.2 is ready to produce all medical papers and certificate before this Court and undertakes to abide all conditions imposed by the Court. He undertakes to remain present through his advocate on each date and cooperate the trial. If the interim bail is not extended, accused No.2 will not be able to undergo the necessary surgery which may seriously affect his health. Hence, requested to extend interim bail of accused No.2 for further period of 60 days or as deems fit on medical ground.

04. Ld. APP contended that the application is not supported with medical papers. Hence, requested to reject

the application.

05. Heard both the sides.

06. Before deciding this application it is pertinent to note brief history of bail applications of the applicant accused. The regular bail application of the present accused at Exh.5 is rejected on 20.08.2025. On 03.02.2026 he moved first interim bail application at Exh.17 on medical ground and sought interim bail for 10 to 15 days for the purpose of operation. That application came to be allowed on 04.02.2026. Thereby Accused No.2 was released on interim bail till 20.02.2026. He was directed to surrender before this Court on or before 20.02.2026. While moving the said bail application the applicant accused had filed medical report issued by Assistant Professor of Vilasrao Deshmukh Government Medical Collage, Ultrasonography report of Shri Digonstic Centre, Omerga, Dist. Dharashiv and certificate as to requirement of surgery issued by Kumthekar General Hospital and Cancer Research Centre, Solapur. On 17.02.2026 the present accused moved application at Exh.31 for extension of interim bail granted on 04.02.2026 till 25.03.2026. At that time, he filed medical certificate and report of Kumthekar General Hospital and Cancer Research Centre, Solapur. On the basis of that reports this Court pleased to extend interim bail to the accused till today. Thereafter, the present application is moved on 17.03.2026. On 23.03.2026 the present accused filed another medical certificate of Kumthekar General Hospital and Cancer Research Centre, Solapur with on report of Chitale Clinic, Solapur and case papers of Shri Seva Hospital, Omerga, Dist.Dharashiv with one Ultrasoundsonography report of Dr.

Anvekar's Imaging Centre, Barshi, Dist.Solapur, Dr. Kumthekar's Hospital medical certificate dated 18.03.2026 reveals that the accused is unfit to resume duty for next two months from 18.03.2026 since, he has undergone major surgery for Recurring Inguinal Herniya. Shri Seva Hospital, Omerga, OPD case papers discloses advice of one surgery to the accused. Now, today the accused has filed medical certificate issued by Unique Hospital, Barshi Road, Latur in which it is stated that the accused will require minimum 90 days preoperative preparation, surgery and post operative recovery.

07. As stated above the first medical report does not reveal requirement of any other surgery. The medical certificates and reports which are submitted by the accused while moving bail or extension applications are issued by different private practitioner doctors. As per the medical record, the first surgery after releasing the accused on interim bail is done by Kumthekar Hospital. It does not reveal necessity of another operation. Even the certificate of Kumthekar Hospital dated 18.03.2026 does not reveal need of another surgery on the accused. Today, the certificate as to requirement of another surgery produced by the accused is of different doctor. Therefore, in the circumstances it seems proper to get advice from the Government Hospital for confirmation before extension of interim bail granted on medical grounds and which expires today.

08. In view of above discussion, it is proper to take the accused in custody and to direct the jail authority to get accused medically examined by the Government Hospital, Latur and to produce the certificate issued by the Government Authority at the earlist. In result, I pass the following order;

ORDER

1. The applicant accused is taken in custody till further order.
2. The superintendent of jail is directed to take the accused to Government Hospital having required facilities for medical examination of the accused.
3. The concerned Government Hospital is directed to examine the accused in view of previous medical history of the accused and submit the report whether the conditions in jail will be unfit for the accused considering the medical condition of the accused, whether the accused needs any other surgery, if yes, the period needed for preoperative, operative and postoperative procedures.
4. Issue letters to jail authority and Government Hospital accordingly.
5. The jail authority to comply the above orders and submit its report along with the report of Government Hospital to this Court at the earliest.

Date: 25-03-2026

(Swanandi D. Wadgaonkar)
Judicial Magistrate (F.C.),
(Court No.01), Ahmedpur.