

COMMON ORDER BELOW EXH.168 AND 171 IN
SPECIAL (NDPS) CASE NO.: 01/2017

The accused No.4 Sanjay Tryambak Chandgude has filed these applications for regular bail as per sec 439 of the Cr. P. C.

2] On 20/07/2020, the Learned Advocate Barge on behalf of the Learned Advocate Mate for the accused had filed the pursis below Exh.189 for keeping this application below Exh. 168 for arguments on 21/07/2020. Since then, no any Learned Advocate on behalf of the accused has attended this matter. Thereafter, on 03/08/2020 the application of the accused dtd. 30.03.2020 below Exh.172 is received from jail for bail. Ld. Special APP for the State remained absent when called out since last many dates. No say is filed on behalf of prosecution. The accused seeks bail on medical ground and for taking care of his family in scenario of Corona decease. Accused is in jail and since last many dates these applications are pending. Hence both these applications are taken for final orders on merits.

3] The accused has contended in application that due to Corona disease, the progress of case is stopped. His parents, wife and three kids are depending upon him. He has pain in stomach since last many days. He has also illness of breathiness and sugar. Therefore, he requests bail for medical treatment as well as for taking care of his family members.

4] The report of Chief medical officer of Jail Authority was called. His report dtd.03.08.2020 (Exh.175) shows that the accused had no any serious medical condition in past and he visited only once

to jail hospital on 10/06/2020 for abdominal pain and complaining of raised sugar, that time his fasting and post prandial BSL was within normal limit. He has no any past history of Asthma . He had not been referred to Sasoon General Hospital, Pune till date. The prisoner visited jail hospital second time after order of this Court on 30/07/2020. Thus, the report of Chief medical officer does not show that the accused is in a critical condition and he needs urgent medical treatment which is not available in Government hospitals Therefore, the accused is not entitled for bail on medical ground.

5] The accused also wants regular bail so as to take care of his family members. However, the accused is detained for serious offence. There is prima facie case against him under sections 8(c), 29(1) r/w. 8(c) and section 25 r/w. 8(c) punishable under section 22(c) of the N.D.P.S. Act. If he released on bail, there is possibility of his absconding and repeating the same offence by him. In the facts and circumstances, the applications being devoid of merits, deserve to be rejected with direction to the Jail Authority, to provide necessary medical treatment to the accused, if required. Hence, the following order is passed.

ORDER

- 1] Applications below Exh.168 and 171 are rejected.
- 2] Inform the Jail Authority, Pune, to provide necessary medical treatment to the accused, if required.

(Rajendra V. Lokhande)

Addl. Sessions Judge, Baramati.

Date – 24/08/2020

CERTIFICATE

I affirm that the contents of the PDF file order are same word to word as per the original order.

Name of steno : Jagadish N. Kanaki, Steno (Grade -II)

Court : District Judge -4 &
Addl. Sessions Judge, Baramati,

Date : 24.08.2020

Order signed by
Presiding Officer on : 24.08.2020

Order uploaded on : 27.08.2020