

MHRT010003772023



**IN THE COURT OF ADDL. SESSIONS JUDGE, RATNAGIRI.**  
**(Presided by A. M. Ambalkar, Addl. Sessions Judge, Ratnagiri)**

**Sessions Case No. 15/2023.**

**The State Of Maharashtra**

**Prosecution**

**Vs.**

**Pandharinath V. Amberkar**

**Accused**

**ORDER BELOW EXH.71.**

(Decided on 10.07.2024)

1. By this application, the applicant/accused prayed that he has been arrested on 07/02/2023. Presently he is in custody. During custody he felt chest pain, hence, as per the order passed by this Court, he was medically examined and angioplasty was advised and thereafter on 30/05/2024, angioplasty operation was conducted in the Parkaar Hospital. For post operation check up date was fixed 13/06/2024. However, the Prison Authority informed that without order of Court, they are not taking the applicant to be hospital. Accordingly, application was filed before this Court and such order came to be passed and accused was

taken to Parkaar Hospital on 14/06/2024. After such check up the applicant accused has not receiving post operative care. He has to do his laundry and utensils and he has to clean his room. He is not getting medical diet as required. The applicant is a diabetic patient. Doctor prescribed ten kinds of tablet to him which includes tablets of blood pressure and diabetes. There is no facility in prison to provide meals which is advised to diabetic patient. On 28/06/2024, during 2:00 pm to 2:30 pm, accused suffered chest pain. However, no facility of treatment was available there and accused was not taken to the hospital. Therefore, he be released on temporary bail for three months.

2. Applicant filed an application for temporary bail before Hon'ble High Court and Hon'ble High Court advised to file such application before Trial Court. Hence, this application.

3. Investigating Officer filed his say through Ld. APP and said say is very detailed consisting of around 8 pages with the history of the case and grounds for rejection of the application. It appears that similar grounds have been raised by Investigating Officer which were raised previously.

4. The informant also appeared and filed his say at Exh.75 and strongly resisted the application and submitted that the diet in the jail is very perfect and the applicant except to wash his plate and bowl, he is to do nothing more. The applicant has been taken to the hospital. All the tests can be done in the Civil

Hospital and the ground raised by applicant/accused are false. Finally, it is prayed to reject the application.

5. Heard learned advocate Shri. G. N. Gawankar for applicant/accused and learned APP Shri. A. A. Phansekar.

6. The record of case shows that the present applicant preferred various bail applications and regular bail application before the Hon'ble High Court. All the bail applications came to be rejected.

7. However, considering the complaint of chest pain and other sufferance, the applicant/accused was permitted to be checked up and to take treatment under the surveillance of police squad in the Parkaar Hospital as per his choice. Accordingly, initially angiography was done and thereafter angioplasty. Thereafter he was taken for check up as per directions by this Court as requested by applicant/accused. The applicant/accused submitted one report of Dr. Parkaar which shows that except advise of some test, the health of applicant/accused is satisfactory and nothing serious was found. As earlier discussed, accused is having political background and offence is serious in nature and therefore in such circumstances, the applicant cannot be said to be entitled for bail. However, at the same time, directions appears to be necessary to Prison Authority to take care of complaint of health made by applicant/accused. Hence, I proceed to pass following order.

**ORDER**

1. Application stands rejected.
2. The Prison Authority is hereby directed that whenever it appears that the applicant is having serious health problem, he should be taken to the hospital for test and for treatment and whenever the prescribed medicines are given by his family members, those be given to applicant/accused.
3. Inform Prison Authority, Ratnagiri and concerned police station accordingly.

**Date: 10.07.2024**

**(A.M. Ambalkar)  
Addl. Sessions Judge, Ratnagiri.**

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Case Number		Sessions Case No.15/2023 Order below Exh.71
Name of Stenographer	:-	Shri.Rajesh G. Rahate
Name of Court	:-	Addl. Sessions Judge, Ratnagiri.
Date of Dictation	:-	10.07.2024
Order signed by the P.O. on	:-	10.07.2024
Order uploaded on	:-	11.07.2024