

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 1983 OF 2021**

Jenny Roweena w/o. Hany Babu ... Petitioner
V/s.
State of Maharashtra and anr. ... Respondents

Dr. Yug Mohit Chaudhry a/w. Payoshi Roy for the Petitioner.
Mr. J.P. Yagnik, APP for the Respondent - State.
Mr. Sandesh D. Patil for Respondent No.2-NIA.

**CORAM : S.S. SHINDE &
N.R. BORKAR, JJ.
DATE : MAY 27, 2021.
(VACATION COURT)**

P.C.

1] Not on board. Upon mentioning, taken on production board.

2] We have heard the learned counsel for the parties and perused the order passed by this court on 19.5.2021.

3] The learned counsel for the petitioner submits that the under trial prisoner Hany Babu Tharayil (the husband of the petitioner) who came to be admitted in Breach Candy Hospital, pursuant to the order passed by this court dated 19.5.2021, has still not recovered from eye infection and is

still Covid-19 positive. It is submitted that discharge of the prisoner from the Hospital and his re-trun to Jail may prove fatal for him.

4] In view of the facts and circumstances of the case and the order passed by this court dated 19.5.2021, the Breach Candy Hospital is requested to forward report to this court in relation to health condition of Hany Babu Tharayil by next date 1.6.2021. The said Hospital is also requested not to discharge Hany Babu Tharayil till the next date and in case, he is required to be discharged before the next date, then the concerned Hospital is requested to seek permission of this court.

5] Stand over to 1/6/2021.

(N.R. BORKAR, J.)

(S.S. SHINDE, J.)