

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. Appeal (DB) No. 2052 of 2017

Laxman Ram Appellant

Versus

The State of Jharkhand Respondent

CORAM : HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE NAVNEET KUMAR

For the Appellant : Mr. A.K. Kashyap, Sr. Advocate
For the State : Mrs. Priya Shrestha, Spl. P.P.

15/Dated: 9th December, 2024

IA No. 12830 of 2024:

1. The instant interlocutory application has been filed for provisionally suspending the sentence by passing an ad interim order during pendency of the appeal.
2. Such prayer has been made on the ground that the Cataract in the left eye of the appellant has now matured and as such, it requires urgent operation otherwise it may become fatal and even there is chance of loss of eye vision.
3. It has been submitted that while the appellant was in judicial custody, the Cataract which was developed in the right eye of the appellant has been operated upon by the Jail authorities by getting the appellant examined by the doctor concerned i.e., the Eye Ward of Sadar Hospital, Garhwa as well as the Palamau Sadar Hospital, Medininagar.
4. The submission has been made that in pursuance of the order dated 12.05.2022 passed by the Co-ordinate Bench of this Court, the appellant was operated upon so far as the Cataract in the right eye is concerned and the same was brought to the notice of this Court having been taken note as would appear from the order dated 6th June, 2022 wherein it has also been mentioned that the left eye is required to be operated after three months.
5. The learned Senior Counsel, on the aforesaid pretext, has submitted

that now it is the cataract which has been developed in the left eye which urgently requires to be operated upon.

6. He has submitted that the procedure which was followed, the same may also be followed this time, i.e., by getting the appellant examined in the Sadar Hospital Garhwa or Palamau Sadar Hospital, Medininagar and as per the report, the cataract which has been developed in the left eye of the appellant may be operated upon.
7. Mrs. Priya Shrestha, learned Special Public Prosecutor, appearing for the State has submitted that there is no difficulty in the same and the appropriate steps will be taken by the Jail Superintendent, Garhwa as had been taken on earlier occasion, i.e., at the time of the operation of the Cataract developed in the right eye.
8. This Court after having heard the learned counsel for the parties is hereby directing the Jail Superintendent, Garhwa to get the appellant examined in either of the Hospital, i.e., Sadar Hospital Garhwa or Sadar Hospital Palamau in the eye ward and as per the advice of the doctor, the left eye of the appellant be operated upon.
9. The learned counsel appearing for the State is directed to submit a report to that effect.
10. This Court, after having passed the order as above has also considered that the issue of like nature that is the under-trial prisoners or the inmates, who are in judicial custody, in consequence of the conviction, are required to be medically examined, particularly, the old age inmates where the likelihood of the issue of Cataract, Diabetes, Blood Pressure and other old age ailments are likely to grief such inmates.
11. Hence, this Court is of the view that let the Chairman, DLSA; Vice-Chairman, DLSA and Secretary, DLSA to launch a campaign by conducting the medical camp the day when the legal camps are being organized said to be on monthly basis be also organized for the purpose of medical examination of such inmates and as per the requirement, they be provided all necessary medical aid.

12. It needs to refer herein that the Jail Adalat being organized inside the jail, is reported to be on the last Saturday of each month, as such if it is being organized, then it be organized regularly along with the medical camps.
13. The learned Member Secretary, JHALSA is directed to monitor and call upon the report of this task.
14. Let this order be communicated to Health Secretary; learned Member Secretary JHALSA; the Chairman; the Vice-Chairman; and Secretary DLSA along with the I.G. Prison, the Jail Superintendents, the Deputy Commissioners and the Civil Surgeons across the State.
15. Let this matter be listed on 17th December, 2024.

(Sujit Narayan Prasad, J.)

(Navneet Kumar, J.)

Samarth/