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SC 3A/11/2014

7256/2016

DRI Vs. ANIL KUMAR ORS

15.10.2018

Present: Ms. Mala Sharma, Ld. SPP for the DRI.

Sh. V. K. Tandon Ld. Counsel for accused Manu Khosla.

Sh. S. S. Dass Id. Counsel for accused Amit Kumar Singh.

Sh. Kamal J. S. Mann Ld. Counsel for accused Anil Kumar.

Accused Anil Kumar and Manu Khosla produced from JC.

Accused Amit Kumar Singh @ Amit Singh on interim bail.

No PW is present.

Ld. SPP seeks time to file reply to the application dated 10.10.2018 for extension of interim bail of accused Amit Kumar Singh.

**Application be listed on 20.10.2018.**

Reply filed by Ld. SPP for DRI to the interim bail application of accused Anil Kumar. Copy supplied. Arguments heard. **List this application on 20.10.2018 for order.**

The application of accused Manu Khosla for interim bail is also listed today. Submissions heard. Ld. Counsel for accused submits that the accused is having swelling in his right leg. The Medical Board has not given any reason/diagnosis for the swelling. Ld. Counsel further submits that the accused may be granted interim bail so that he can consult private doctors for this problem and can also get his physiotherapy complete. Accused submits that he has extreme pain in his right leg from which the nerve grafting was done. He further submits that he is unable to walk and the swelling increases with walking.

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He also submits that the Medical Board noted that his left leg moves upto 20 degree but did not give any reason. According to him, he is having extreme pain in the pelvic bone and it is difficult for him to walk with the support of left leg. Ld. SPP for DRI has opposed the application.

The Medical Board at AIIMS has examined the accused for all complaints and the conclusion is that he does not have any condition which warrant acute hospital care and can continue his treatment for the existing medical condition (hypertension, lower back ache) under the direct supervision of the jail medical authorities. I also do not find any significant swelling in his right leg. He had already been granted interim bail for sufficient time for treatment, from a medical center of his choice. After taking treatment at a Super Specialty Hospital of his choice and the surgery, he started complaining about the swelling in the right leg. He has been examined by a Medical Board at AIIMS and the conclusion is mentioned above. It has already been noted in the earlier orders that the exercises have been suggested to him by the doctors and he can do the same on his own in the jail. Therefore, **no ground is made out to grant interim bail to accused Manu Khosla. Applicaiton is dismissed.**

**Copy of this order be given dasti to Ld. Counsel for accused Manu Khosla.**

Matter be listed **on 28.11.2018 and 29.11.2018 (on both dates at 02:00pm) for cross-examination of Sh. B. K. Banerjee and thereafter, 05.12.2018; 06.12.2018; 07.12.2018 and 10.12.2018 for prosecution evidence.**

**(Rajesh Kumar Singh)**  
Special Judge (NDPS Act)  
South District, Saket/15.10.2018<sub>AR</sub>