

SC 3A/11/2014
7256/2016
DRI Vs. ANIL KUMAR ORS

01.02.2019

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

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

Sh. V. K. Tandon and Sh. Sourabh Luthra Ld. Counsel for accused Manu Khosla.

Sh. S. S. Dass Ld. Counsel for accused Amit Kumar Singh @ Amit Singh.

Accused Amit Kumar Singh in person (on interim bail)

Accused Anil Kumar and Manu Khosla produced from JC.

Sh. Ajay Kumar (PW-11) is present. He is cross-examined and discharged.

Regular bail applications of accused Anil Kumar and the accused Amit Kumar are listed today. The application of accused Manu Khosla on interim bail on medical ground is also listed today. Application for interim bail of the accused Anil Kumar on the ground of marriage in his family scheduled for 07.02.2019 was also received from the filing counter on 28.01.2019 and the same has been put up today as the Court was leave on 28.01.2019. Notice of this application is issued to Ld. SPP for DRI.

Ld. SPP for DRI submits that she has sent the applications of Anil Kumar and Amit Kumar for regular bail to DRI and she needs sometime to file reply as the concerned IO is on leave due to illness. **The regular bail applications of Anil Kumar and Amit Kumar adjourned for 04.02.2019. The**

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application of accused Anil Kumar for interim bail is also adjourned for 04.02.2019.

Submissions heard on the application of accused Manu Khosla dated 17.01.2019 for interim bail on medical ground. Report was called from the Medical officer, incharge, Central Jail no. 8/9. Report dated 31.01.2019 has been received. The accused had been granted interim bail on the ground of illness of his brother and he remained on interim bail from 28.11.2018 to 06.01.2019. During this period, he suffered cardiac problem on 10.12.2018 and he was treated at Fortis Hospital, Shalimar Bagh where angiography was performed and one stent was also placed. He was advised for placing of another stent but he consulted another cardiologist who advised medication. This Court declined his prayer for interim bail vide order dated 05.01.2019 and he surrendered before the Superintendent Jail on 06.01.2019.

As per report of the medical officer incharge, he was sent to GB Pant Hospital on 15.01.2019 and he was asked to come again with the CD. The accused went to GB Pant Hospital again with CD of the angiography performed on him. He went to GB Pant hospital on 19.01.2019 as well as on 23.01.2019. He has been advised P + S - > LAD/LCx using three stent. Estimate was to be prepared. On 29.01.2019 as well as on 30.01.2019, the nursing orderly was sent to GB Pant Hospital for the estimate form but he could not succeed in getting the form.

The report received from Medical officer, incharge, Central Jail dispensary no. 8/9 which is based on the opinion given by GB Pant hospital shows that the accused requires interventional cardiac treatment. The report also shows that there is delay in completion of the formalities at GB pant

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Hospital and consequently there is delay in start of the treatment. Considering the medical record of the accused, the opinion of doctors and the other facts mentioned above, his application is allowed and he is granted interim bail for 15 days from the date of his release subject to furnishing personal bond of Rs. One lakh with two sureties of like amount. The other conditions will remain same as in the earlier orders for interim bail. The accused will provide his local address and shall not leave Delhi without permission of the Court. The medical record of the accused be provided to him by the jail hospital/jail dispensary as he will require the same for his treatment outside the jail. The CDs taken by the accused to the jail be also handed over to him. **Copy of the order be sent to Superintendent Jail for information and compliance. Copy of this order be given dasti to Id. Counsel for accused.**

At this stage, Ld. SPP has pointed out that application of DRI u/s 311 Cr. PC is also pending. This application will also listed on 04.02.2019.

Matter be listed **on 04.02.2019 for hearing on bail applications of accused Amit Kumar and Anil Kumar and application of DRI u/s 311 Cr. PC. Matter be also listed on 25.03.2019; 26.03.2019 and 27.03.2019 for prosecution evidence.**

(Rajesh Kumar Singh)
Special Judge (NDPS Act)
South District, Saket/01.02.2019_{AR}