

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CRIMINAL APPEAL NO(s). 546 OF 2004

MOHD.JALEES ANSARI & ORS.

Appellant (s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION Respondent(s)  
(With appln(s) for exemption from filing O.T.,bail)

Date: 15/12/2011 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY  
HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR

For the parties:

Mr. Syed Shahid Rizvi, Adv.  
Mr. Manoj V. George, Adv.  
Mr. Mohd.Irshad Hanif ,Adv  
Mr. Danish Sher Khan, Adv.

Mr. P. Narasimhan,Adv.

Mr. Mohal Adcel, Adv.

Mr. Shakil Ahmed Syed ,Adv

Mr. Satpal Singh ,Adv

Mr. P.P. Malhotra, ASG  
Mr. Harish Chandra, Sr. Adv.  
Mr. N. Chaudhary, Adv.  
Mr. P.K. Dey, Adv.  
Mr. Arvind Kumar Sharma,Adv.  
Mr. Mukesh Verma, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard learned counsel for the parties and perused  
the bail application and other documents filed on  
2

behalf of Mohd. Shamsuddin, accused appellant No. 10 in  
the criminal appeal.

Learned counsel for the appellant has, in support  
of his prayer for bail, furnished report of a medical  
test i.e. "MRI Cervical Spine with screening rest  
spine" conducted at S.M.S. Hospital, Jaipur, Rajasthan.

Dr. Vineet Mishra, M.D., Consultant Radiologist has  
furnished the opinion which reads as under:

"Findings

The study reveals straightening of cervical spine.

Marginal osteophytes are arising from vertebral bodies. Vertebrae, otherwise are normal in signal characteristics.

Degenerative changes are seen in IV discs as evidenced by reduced signal of nucleus pulposus on T2W scans.

Concentric C3-4, C4-5 & C6-7 disc bulge with posterior protrusion seen indenting ventral thecal sac. Mild narrowing of right neural foramina seen at C4-5 level.

Concentric C5-6 disc bulge with posterocentral extrusion showing superior migration seen with mild PLL thickening indenting ventral thecal sac and cord surface with mild compression over right neural foramina.

Spinal cord is normal in signal intensity.

Cerebellar tonsils are normal in location.

Cervicomedullary and craniovertebral junctions do not reveal any significant abnormality.

Screening of rest of spine reveal

3

degenerative and spondylotic changes. Concentric disc bulge with left posterolateral herniation seen at L5-S1 level causing effacement of anterior epidural space."

We have been told by Mr. P.P. Malhotra, learned

Additional Solicitor General that the applicant is being given the best medical support and he further assured us that once the opinion of specialist is obtained from S.M.S. Hospital, Jaipur on the question whether the case of the applicant needs any surgical intervention and if the same is necessary, then the same will be provided to the applicant with the consent of his relatives. In this regard, we want the opinion of expert of the concerned hospital.

Let the bail application in respect of Mohd. Shamsuddin, accused appellant No. 10 be placed before this Court on 4th January, 2012 along with the opinion of expert of the concerned hospital on the question

whether or not any surgery is necessary for the applicant.

This order may be communicated to the jail authorities by the learned Junior of Mr. P.P. Malhotra, Additional Solicitor General.

(G.SUDHAKARA RAO)  
Court Master

(VINOD KULVI)  
Court Master