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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 182/2018

PRATAP SINGH SISODIYA

..... Petitioner

Through: Mr. Rajiv Mohan and Mr. M.A.
Karthik, Advs.

versus

STATE

..... Respondent

Through: Ms. Rajni Gupta, APP with Insp.
Mohinder Singh, P.S. Gandhi Nagar.
Mr. Harish Tyagi, Superintendent and
Dr. Girish Shastri, Medical Officer
Incharge, Central Jail, Tihar.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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02.02.2018

Superintendent Jail is present along with Dr. Girish Shastri, Medical Officer Incharge, Central Jail No.3, Tihar Jail. Dr. Girish Shastri has placed on record his report dated 31st January, 2018 regarding medical condition of the petitioner pursuant to the order dated 22nd January, 2018. It is not in dispute that petitioner is suffering from Pulmonary TB with Right Hydropneumothorax with Bilateral Lower Limb Sensory Motor Neuropathy and is on Anti-tubercular drugs Category-I DOTs since 19th January, 2017. Board of five doctors was constituted to evaluate the latest medical condition of the petitioner which gave its report on 5th January, 2018; whereby petitioner's name was included in the list of terminally/seriously

sick patients. The report of the medical board reads as under :-

- The above said inmate patient is follow-up case of Pulmonary Tuberculosis with Chronic Right Sided Loculated Hydropneumothorax (on Anti-tubercular drugs Category-I DOTs since 19/01/2017) with Bilateral Lower Limb Sensory Motor Neuropathy.
- Presently, he complaint of intermittent low grade fever, cough, mild sputum production and loss of appetite and weight loss and chronic pus discharge from right Per Cutaneous Window (created on 23/05/2017) and difficulty in walking with weakness of bilateral lower limbs.
- On examination, patient is conscious, oriented and his body weight is 49 kgs. He is getting treatment from AIIMS Hospital, LRS Hospital and DDU Hospital.
- Patient's present condition requires further diagnostic evaluation including the possible need of bronchoscopy and bronchoalveolar lavage for the exact etiology and be treated accordingly (as advised by the AIIMS Hospital/Medical Board). His kidney and liver functions are within normal limits and ESR mildly elevated with leukocytosis. His general condition is progressively deteriorating with progressive weight loss.
- In the background of Pulmonary Tuberculosis with Chronic Right Sided Loculated Hydropneumothorax (on Anti-tubercular drugs Category-I DOTs since 19/01/2017) with Bilateral Lower Limb Sensory Motor Neuropathy, all the present members of committee for examining Seriously Sick/Terminally Ill patient are of the opinion for including Pratap S/o Anil in the list of Seriously Sick Patient.

As per the latest report dated 31st January, 2018, medical condition of the petitioner is declining. Relevant portion of the said report reads as under :-

“The inmate patient was reviewed in Pulmonary Department at

AIIMS Hospital on 11/01/2018. The Specialist of AIIMS Hospital advised some investigations (Sputum for AFB/MGIT/Genexpert and Pus for Culture Sensitivity/MGIT/Genexpert) and the same has been done at AIIMS Hospital on 18/01/2018 and the report thereof is awaited at present.

The medical condition of the inmate patient started declining since couple of weeks for which he was kept admitted at the Central Jail Hospital and he was frequently reviewed by the Senior Medicine Specialist of the Jail Hospital. In view of the worsening medical condition of the inmate patient, he was examined by the members of Seriously/Terminally Sick Committee whereby the inmate patient was included in to the list of Seriously Sick inmates on 05.01.2018. The Jail Superintendent was also intimated regarding the same vide No. MOI.C./CJ-03/2018/0063-67 dated 09.01.2018 for necessary action".

In view of the medical condition of the petitioner, he is admitted to interim bail for a period of 4 months from the date of his release, subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

FEBRUARY 02, 2018

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