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

+ **BAIL APPLN.904/2020**

**JAGANNATH**

.....Petitioner

Represented by: Mr.Rajiv Mohan and  
Mr.Abhimanyu Kampani,  
Advocates.

versus

**STATE NCT OF DELHI**

.....Respondent

Represented by: Mr.Ashok K. Garg, APP for the  
State

**CORAM:**

**HON'BLE MS. JUSTICE MUKTA GUPTA**

**ORDER**

**21.05.2020**

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1. The hearing has been conducted through video conferencing.
2. By this application, petitioner seeks interim bail for a period of 120 days on medical grounds and also in view of the present scenario of outbreak of COVID-19.
3. Petitioner is involved in FIR No.28/2016 under Sections 18/29 of the NDPS Act registered at PS Special Cell, Delhi.
4. The allegations against the petitioner are of being involved in a drug syndicate along with other members namely Nand Ram @ Master and Mangli Ram and during the course of investigation 8 kgs opium was recovered from the house of the in-laws of the petitioner where he was also present.
5. Be that as it may, the present application seeking interim bail is not on merits but on the medical condition of the petitioner. This Court had called for the latest medical status of the petitioner from the Superintendent, Central Jail, Tihar according to which it is revealed that the petitioner is being reviewed by the Jail visiting hospital. Petitioner is a known case of diabetes mellitus-II with

Diabetic Nephropathy and on 21<sup>st</sup> November, 2019 he had complained of bilateral pedal edema with calf pain, when he was examined and medication was provided. Petitioner also complained of skin problem, that is, Psoriatic Keratosis for which also he was given medicines in the month of November, 2019.

6. On 27<sup>th</sup> April, 2020 the petitioner was examined by the jail doctor when he was complaining of gastritis. Petitioner was given necessary injections and his general condition is stable, except that besides gastritis on 16<sup>th</sup> May, 2020 he was also found to be anaemic.

7. When this matter came up before this Court on 19<sup>th</sup> May, 2020, this Court had asked learned counsel for the petitioner to find out where the petitioner would reside in Delhi and who would stand surety in his favour in case bail is granted. Learned counsel for the petitioner fairly submits that the petitioner has no house in Delhi and he will have to travel to Muzaffarpur and his family members from Muzaffarpur would stand surety for him. Considering the fact that in the present COVID-19 situation in the country it will not be in the interest of medical condition of the petitioner to travel outside, this Court finds no ground to grant interim bail to the petitioner at this stage. However, considering the fact that the petitioner is a case of diabetes mellitus along with diabetic nephropathy and is also anaemic, Superintendent, Tihar Jail No.8 & 9 is directed to ensure that the petitioner is given all necessary medication.

8. Application is disposed of.

9. Order be uploaded on the website of this Court.

**MUKTA GUPTA, J.**

**MAY 21, 2020**

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