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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. No. 947/2020**

CHANDRA SHEKHAR Petitioner
Through: Mr.Prakash Pandey, Advocate

versus

STATE OF NCT OF DELHI Respondent
Through: Mr.Kamal Kumar Ghai , APP for the
State with SI Surender, PS Special
Cell Lodhi Colony

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

% **ORDER**
08.06.2020

Vide the present application, the applicant seeks grant of interim bail for a period of six weeks in relation to FIR No. 54/2014 registered under Sections 21/29/61/85 NDPS Act, Police Station Special Cell. The applicant has submitted that he has been incarcerated since 24.11.2014 and only 3 out of 41 witnesses have been examined so far thus making it apparent that the trial is taking considerable time. Inter alia, the applicant has submitted that he is a known case of old treated tuberculosis, diabetes Mellitus Type-II and Hypothyroidism for which he has been under regular treatment. It is further submitted through the present application that the applicant is residing in jail ward along with other inmates and maintaining social distance is not possible there for him.

Vide order dated 28.5.2020 of this Court, it was observed that in as much as the applicant needed medical assistance immediately, it was for the Jail Authorities to give appropriate medical aid to the applicant and the Jail Authorities were directed to call the Doctor from the Safdarjung Hospital/DDU Hospital as available and convenient to them for the treatment of the petitioner/applicant and file a further report about the action taken on or before 4.6.2020.

The status report that has been received from the Superintendent Jail, Delhi along with the report of the Dr. Akash Narade, Medical Officer Incharge, Central Jail Hospital & Dispensary along with the letter of the applicant to the SMO Tihar Jail, indicates categorically that the applicant refused to be referred to the DDU Hospital and submitted an application dated 1.6.2020 in vernacular stating that he did not want to get treated in any government hospitals as he has a fear of corona virus infection and he be permitted to get treatment from the private hospital.

On behalf of the State, the prayer is vehemently opposed submitting, inter alia, to the effect that a commercial quantity of heroine was recovered from the applicant as also at the applicant's instance.

The status report that is on the record as was submitted previously dated 25.5.2020 in this very case alleges inter alia to the effect that the applicant has a nexus with several other accused persons in the narcotics syndicate.

On a consideration of the submissions that have been made on behalf of either side and taking into account the factum also that despite a direction dated 28.5.2020 of this Court and despite an attempt having been made by the Jail Authorities to get the applicant treated, the applicant's plea is apparently thus to the effect that he needs to get out of the Jail.

In the circumstances, there is no ground whatsoever for interim bail.

The application is rejected.

ANU MALHOTRA, J

JUNE 8, 2020

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