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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4028/2023**

GOURAV TOKAS

..... Petitioner

Through: Mr. Varun Mudgil, Mr.
Rakesh Kumar, Mr. Harsh
Sharma, Mr. Vijay Kumar
and Mr. Mohit Mudgal,
Advts.

versus

STATE

..... Respondent

Through: Mr. Utkarsh, APP for the
State with SI Hanspreet
Singh, ANTF / Crime
Branch.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
31.01.2024

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1. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 ('CrPC') seeking grant of interim bail in FIR No. 205/2023, dated 22.08.2023, for offences punishable under Sections 20/22/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at PS Crime Branch, Delhi, on the ground that the applicant's medical condition had worsened while he was in judicial custody.

2. A medical board was constituted by the Deen Dayal Upadhyay Hospital, as directed by this Court by order dated 23.01.2024, and the report regarding the medical status of the applicant has been filed. The observations of the medical board are reproduced hereunder:

"The inmate Gaurav Tokas was examined and treatment



records reviewed by the medical board and observed -:

1. The Inmate was admitted in Venkateshwar Hospital, Delhi from 27.02.2021 to 01.03.2021 (UHID No.-210241912) with diagnosis of CAD/IWMI coronary angiography was done which was suggestive of single vessel disease and he also under went PTCA with stenting and discharged in stable condition with medical therapy.

2. Also visited GB Pant hospital (Cardiology Deptt.) on 08.12.2023 and 12.12.2023 (Registration No. 20230093295) and advised to continue the medical therapy he also under went TMT which was inconclusive for inducible Ischemia and advised for CTCA.

3. Patient was also admitted in DDU hospital for 08 days from 16.12.2023 to 23.12.2023 (CR No. 60560) with diagnosis of Unstable Angina/ ACS /Post PTCA/ Trop —T Positive. Patient was managed conservatively and there was no dynamic changes in ECG and 2D-Echo was with in normal limit and discharged in stable condition with an advice to review in higher centre cardiology department. Subsequently he was admitted again in DDU hospital on 15.01.2024 for 03 days (CRNo. 2678) with similar complaint of Atypical chest pain. The stay in Hospital was uneventful no dynamic changes in ECG 2D-Echo with in normal limits and discharged in stable condition with an advice to review in cardiology department higher centre for detail evaluation.

4. Patient was admitted on 25.01.2024 as per the direction from the Hon'ble High court of Delhi with reference to letter No. MOI.C/CJ -04/2024/197 Dated 25.01.2024 from office of Senior Medical Officer Tihar Jail.

The opinion of medical board

Patient is having CAD/IWMI/Post PTCA/SVD/STENT on medical therapy with history of recurrent atypical chestpain.

As of today dated 27.01.2024 patient is Asymptomatic with vitals stable and no fresh changes in his ECG.

The inmate patient is advised to review in cardiology department higher centre for proper and detailed evaluation and further management of recurrent chest pain.”

3. It is apparent that no such medical condition has been identified by the medical board which would warrant the release



of the applicant on interim bail. It is, though, mentioned that the applicant is advised to review in cardiology department higher centre for proper and detailed evaluation and further management of recurrent chest pain.

4. In view of the above, the respondent is directed to take the applicant for further consultation and review in the cardiology department higher centre, Deen Dayal Upadhyay Hospital, as and when advised by the Medical Officer.

5. It is expected that the respondent would be more sympathetic towards the applicant's complaint of any medical problems and the same would not be ignored.

6. The application is disposed of in the aforesaid terms.

AMIT MAHAJAN, J

JANUARY 31, 2024
"SS"