



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 6453/2024

Indraram @ Inderraj S/o Chitra Ram, Aged About 58 Years,
R/o Dangawas, P.s. Merta City, Dist. Nagaur,raj. (Lodged In
Dist. Jail, Chittorgarh)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Bhagirath Ray Bishnoi

For Respondent(s) : Mr. Mohd. Javed Gauri, PP

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

31/05/2024

1. Instant interim bail application is preferred in Sessions Case No. 170/2022 arising out of FIR No. 330/2022, Police Station Sadar, Chittorgarh, pending before learned Special Judge, NDPS Cases, No.1, Chittorgarh for offence under Section 8/15 of NDPS Act.
2. On earlier occasion, the second bail application of this petitioner was dismissed on 29.04.2024 as S.B. Criminal Miscellaneous 2nd Bail Application No.10491/2023. Interim S.B. Criminal Misc. Bail Application No.15008/2023 was allowed by a Coordinate Bench on 23.11.2023 for a period of 40 days and further extended on 05.01.2024 up to completion of 70 days.
3. Learned counsel for petitioner submits that the petitioner is suffering from HIV and presently undergoing



treatment for HIV. He also submits that the prescription slip the medical certificates enclosed with the petition clearly shows that the petitioner has developed blood clot in his legs and doctor has advised for further treatment at higher centre. He submits that an interim bail for 45 days be granted to him.

4. Aforesaid contentions were opposed by learned Public Prosecutor and he submitted that all possible medical facilities are extended to the petitioner.

5. Heard learned counsel for petitioner and learned Public Prosecutor. Perused the record.

6. On earlier occasion, an interim bail for treatment was granted to the petitioner for a period of 70 days. A regular bail was dismissed 29.04.2024 observing that unless condition as prescribed under Section 37 of NDPS Act is satisfied the petitioner is not entitled for bail.

7. A perusal of medical record indicated that the petitioner is suffering from HIV (AIDS) and a regular patient booklet is maintained by the Jail Authorities. Moreover, the treatment was also provided at higher centre. The medical record submitted with bail application indicates that these were old records and none of them is helpful in seeking interim bail on the ground of immediate medical attention. The petitioner has already remained on interim bail for a period of 70 days



and moreover his regular bail is dismissed by this Court and after dismissal no medical complication was developed.

8. Considering the totality of facts and circumstances, no case is made out to release the on interim bail.

9. Hence, the interim bail application under Section 439 Cr.P.C. of Indraram @ Inderraj is hereby dismissed.

10. Misc. applications, if any, stand disposed of.

(ASHOK KUMAR JAIN),J

7-Arun/-