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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Date of Decision: 07.04.2026*+ **BAIL APPLN. 1346/2026 & CRL. M.A. 10580/2026**

MOHD AKHTARPetitioner

Through: Mr. S.K. Santoshi, Advocate

versus

THE STATE NCT OF DELHIRespondent

Through: Mr. Amit Ahlawat, APP for State
with ASI Sultan Singh**CORAM: JUSTICE GIRISH KATHPALIA****JUDGMENT (ORAL)**

1. The accused/applicant seeks interim bail for a period of three months in case FIR No. 458/2025 of PS Gandhi Nagar for offence under Section 21/29 of NDPS Act.
2. I have heard learned counsel for accused/applicant and learned APP for State assisted by IO/ASI Sultan Singh.
3. Broadly speaking, the accused/applicant was arrested on 22.12.2025 and 505.47 grams smack was recovered from him. The accused/applicant



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now seeks interim bail on medical grounds, mainly contending that he is suffering with tuberculosis and psoriasis as well as haemorrhoids.

4. Learned counsel for accused/applicant contends that the accused/applicant is suffering with the above mentioned ailments and his health condition has not improved despite medical treatment provided by the jail doctors.

5. The interim bail application is strongly opposed by learned prosecutor, disclosing that the accused/applicant is involved in three more cases under NDPS Act and has been convicted in two similar cases. Further, it is contended that complete medical treatment is being provided to the accused/applicant by the jail doctors. In this regard, learned APP for State has taken me through order dated 17.03.2026 of the learned trial court in which after detailed discussion, it was held that health of the accused/applicant is being well taken care of. Further, the learned trial court has already directed the Jail Superintendent to personally monitor health condition of the accused/applicant.

6. In the above backdrop, learned counsel for accused/applicant has been offered to suggest the doctor from whom the accused/applicant wants to take medical treatment, but learned counsel seeks time to obtain instructions.

7. Considering the above circumstances, I do not find it a fit case to grant interim bail. Therefore, this bail application is dismissed. However, the Jail Superintendent is directed to ensure that the accused/applicant is produced before the doctor/hospital of his choice for his medical treatment



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in custody and for that purpose, the accused/applicant may convey his choice of doctor/hospital to the Jail Superintendent. Pending application also stands disposed of.

8. For compliance, copy of this order be sent to the Jail Superintendent.

**GIRISH KATHPALIA
(JUDGE)**

APRIL 7, 2026/as