

IA -20-2023 SC No-46-2022
State V. Hussain (**Applicant Asim**)
FIR No. 607/2021
Police Station: Bawana
Under Section -21/25/29 NDPS Act

20.04.2023

Pr: Ms.Promila Singh, Ld. Addl. P.P for the State.
Sh. Shadman Ali, Ld. Counsel for the accused/applicant.
I.O in person.

Arguments heard on the application under Section 439 Cr.P.C for grant of interim bail to accused-applicant.

It is pleaded on behalf of the applicant that the marriage of real sister of accused/applicant Mehbish Khan is to be solemnised on 26.04.2023 at Bandhan Banquet Hall, Arya Inter College, New Gaon Milak, Ram Pur U.P. Wedding card/invitation card has been annexed with the application. The presence of the accused/applicant in the marriage is necessary being the real brother. Hence, prayer is made for grant of interim bail to the accused/applicant.

Per contra, Ld. Addl. P.P for the State has submitted that factum of marriage of real sister of the accused/applicant is verified which is scheduled on 26.04.2023. They are opposing the interim bail application for 30 days as the accused/applicant is involved in case recovery of commercial quantity of contraband.

Heard and considered.

As per the report/reply of the IO filed, the factum of marriage of real sister of the accused/applicant which is scheduled on 26.04.2023 is duly verified and found to be correct. The venue is stated to be Bandhan Banquet Hall, Arya Inter College, New Gaon Milak, Ram Pur U.P. The statement of local resident too has been recorded by the I.O with regard to factum of marriage and its schedule. The presence of the accused/applicant being the real

brother , therefore, is necessary for attending the said ceremony.

Keeping in view the above facts and circumstances of the case, **accused/applicant Asim Khan S/o Wahid Khan is admitted to interim bail for a period of THREE DAYS from the date of his release subject to furnishing a personal bond in the sum of Rs.50,000/- each with two sureties in the like amount on the following conditions:**

- i) That the applicant/accused shall not leave Delhi without prior intimation to the IO/Court either by written intimation or through SMS to IO on mobile phone in advance;
- ii) That the applicant/accused will supply all numbers of his functioning phones/mobile phones to the IO as well as about his whereabouts.
- iii) That the applicant/accused shall not tamper with the evidence;
- iv) That the applicant/accused shall not try to contact in any manner or threat the prosecution witnesses;
- v) That in case of change of his residential address, he shall intimate the court about the same;
- vi) That the applicant shall attend the Court on each and every date of hearing without fail.
- vii) In case of involvement in any criminal case during bail period the bail shall be liable to be cancelled.
- Viii) That the accused/applicant shall surrender before the jail authority immediately after expiry of his interim bail period.**

A copy of this order be sent to the Jail Superintendent concerned for further communication to the accused/applicant. Copy of this order be also forwarded to Jail Superintendent concerned through E-Mail.

(Gagandeep Singh)
ASJ/Spl. Judge (NDPS):
North, Rohini Courts, Delhi
20.04.2023