

IA/19/23
SC No. 46/22
State Vs Hussain & Ors.
FIR No. 607/21
PS Bawana
U/s 21/29 NDPS Act

28.04.2023

Present: Ms. Promila Singh, Ld. Addl PP for the State.
Sh. Shahrukh Khan, Ld. Counsel for the applicant /
accused.
IO is absent.

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

It is pleaded on behalf of the applicant that the
mother of the applicant / accused is a 50 year old lady and
suffering from acute pain in both the knees from last 4-5 months.
It is further submitted that she is taking regular medicine but is
not getting any relief and now her condition is getting
deteriorated day by day. It is further submitted that on
23.03.2023, she was taken to Sir Ganga Ram Hospital, Delhi
where xray of her knee was suggested. It is further submitted
that on 03.04.2023, after seeing the Xray report, the concerned
doctor has suggested total knee replacement surgery. It is
pleaded that for the said surgery, the presence of the
accused/applicant is required for meeting medical needs of his
mother and arrangement of funds. Rs 5 lakh are required for the

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said purpose. The accused/applicant has not misused the earlier interim bail granted to him vide orders dated 05.05.2022 and 03.08.2022. 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 though the medical documents of the mother of accused/applicant are verified. As per the verification, no surgery of mother of the applicant is to be done and nor the same has been recommended. Hence, prayer for dismissal of the present application is made.

Heard and considered.

The medical documents of the mother of the applicant are verified and no surgery as alleged is required to be done as has been stated by the concerned doctor. **No ground for grant of interim bail is made and the application in hand is accordingly, dismissed and disposed of.**

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/Spcl. Judge(NDPS)
North/Rohini Courts, Delhi