

IA-9-22 SC No-46-2022

State V. Hussain

FIR No. 607/2021

PS Bawana

Under Section 21/25/29 NDPS Act.

03.08.2022

Present: Sh. G.S Guraya, Ld. Addl. P.P for the State.
Sh.Iqbal Khan, Ld. Counsel for the applicant/accused
I.O with case file.

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 father of the accused/applicant namely Yadul Sheikh is suffering from Syncope disease which is a temporary loss of consciousness due to insufficient blood flow to brain and doctors have advised his father to be admitted urgently for treatment. The presence of the accused/applicant is required for meeting medical needs of his father and arranging funds. The accused/applicant has not misused the earlier interim bail granted to him for treatment of his mother. 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 father of accused/applicant are verified and correct but they are opposing the application as there are members in the family of the accused who can take care of his father.

Heard and considered.

The medical documents of father of the accused from G.B Pant Hospital and are verified and found to be correct. The patient (father of the accused/applicant) is suffering from complete heart blockage who is required to be admitted. Further, one person/attendant is required for the patient. The reply filed by the IO is silent about the other family who can take care of the patient.

Keeping in view the above facts and circumstances of the case, **the accused/applicant Hussain is admitted to interim bail for a period of FIFTEEN DAYS (15 DAYS) 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 Jail Superintendent concerned for information and compliance.

(Gagandeep Singh)
ASJ/Spl. Judge (NDPS):
North, Rohini Courts, Delhi
03.08.2022