

**IN THE COURT OF JITENDRA PRATAP SINGH
ADDL. SESSIONS JUDGE/SPECIAL JUDGE (NDPS)
NEW DELHI DISTRICT, PATIALA HOUSE COURTS
NEW DELHI**

IA 13/26 & IA 14/26 in SC 52/26

FIR 226/25

PS Special Cell

STATE VS JAS RAJ

01.08.2026

ORDER

1. By way of the present application IA no. 13/26 under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), the applicant/accused seeks extension of interim bail on account of the proposed surgery of his minor son, Manoj Choudhary. During the proceedings upon expiry of the period of interim bail, the accused surrendered himself and filed another application bearing IA no. 14/26 seeking interim bail for a period of one week on the same grounds. This order shall dispose off both the applications.

2. Learned counsel for the applicant submits that the applicant's seven-year-old son is suffering from a left-sided kidney stone with mild hydronephrosis and has also been experiencing severe flank pain, fever and burning micturition. It is submitted that the surgery, which was earlier proposed to be conducted on 10.07.2026, could not be performed because the child was suffering from pneumonia and was, therefore, not

medically fit to undergo the procedure. It is further submitted that the pneumonia has now been treated and the surgery has been fixed for 04.08.2026.

3. Learned counsel further submits that the presence of the applicant, being the father of the minor child, is necessary for arranging finances and medicines, completing admission and consent formalities and attending to the child during the surgery and immediate post-operative period. It is also submitted that the applicant had earlier been released on interim bail and surrendered before the jail authorities in compliance with the directions of the Court. It is accordingly prayed that the applicant be released on interim bail for a limited period.

4. Learned Chief Public Prosecutor for the State has opposed the application. It is submitted that the applicant is facing prosecution for offences under Sections 22 and 29 of the NDPS Act involving the alleged recovery of 3.080 kilograms of methamphetamine from a vehicle in which the applicant and the co-accused were apprehended. It is contended that the allegations are serious and there is a possibility of the applicant absconding or misusing the liberty granted to him.

5. I have heard the respective arguments and have perused the records.

6. The status report and the verification conducted by the investigating agency have been perused by the Court. As per the verification report, Dr. Gordhan Chaudhary, who is stated to be treating the applicant's son, has confirmed that the child has been under treatment, that his pneumonia has now been cured and that the surgery for removal of the kidney stone has been fixed for 04.08.2026. The medical ground urged by the applicant thus stands verified by the investigating agency.

7. The Court is conscious of the seriousness of the allegations against the applicant and the substantial quantity of contraband allegedly recovered in the case. However, the present application is not being considered on the merits of the prosecution case but on a limited humanitarian ground arising from the proposed surgery of the applicant's minor son. The medical procedure is scheduled in the immediate future, and the presence of a parent during the hospitalization and surgery of a minor child cannot be regarded as wholly unnecessary.

8. It is also material that the applicant had earlier availed interim bail and, as reflected in the status report, surrendered before the jail authorities in compliance with the order of the Court. There is no allegation that during the earlier period of interim bail he attempted to abscond, contacted any prosecution witness or otherwise misused the liberty granted to him. The

apprehension expressed by the prosecution can, therefore, be adequately addressed by imposing stringent conditions and restricting the relief to a short and definite period.

9. Accordingly, without expressing any opinion on the merits of the case, the applicant/accused Jas Raj is directed to be released on interim bail for a period of one week (07 days) from the date of his release, subject to furnishing personal bond in the sum of Rs. 1,00,000/- with one surety in the like amount to the satisfaction of the Court and subject to the following conditions:

- i. The applicant shall be released on interim bail for a period of one week/7 days only from the date of his actual release.
- ii. The applicant shall surrender before the concerned Jail Superintendent immediately upon expiry of one week/7 days from the date of his actual release.
- iii. The applicant shall furnish his mobile number to the IO and shall keep the same operational at all times during the period of interim bail.
- iv. The applicant shall share his live mobile location with the IO, if so directed by the IO.
- v. The applicant shall not leave the State of Rajasthan except for the purpose of attending to the medical needs of his minor son and for no other purpose.
- vi. Before leaving Delhi, the applicant shall inform the IO in writing/through WhatsApp about the date and time of departure, mode of travel, place of stay in Rajasthan and expected date of return.

vii. The applicant shall not visit any place other than his residence, the hospital/clinic concerned and such other place as may be necessary for the medical treatment of his minor son.

viii. The applicant shall not contact, threaten, induce or influence any witness or any person acquainted with the facts of the case.

ix. The applicant shall not contact the co-accused or any person allegedly involved in the present case.

x. The applicant shall not tamper with evidence or indulge in any offence during the period of interim bail.

xi. The applicant shall place on record, at the time of surrender or on the next date fixed before this Court, copies of the medical papers/treatment record of his minor son pertaining to the period of interim bail.

xii. The applicant shall also file a short affidavit at the time of surrender disclosing the places visited by him during the period of interim bail.

10. In case of violation of any of the above conditions, the interim bail granted to the applicant shall be liable to be cancelled and the prosecution shall be at liberty to move an appropriate application in accordance with law.

11. It is clarified that this order shall not be treated as an expression on the merits of the case. The observations made herein are only for the purpose of deciding the present applications seeking interim bail on humanitarian/medical grounds.

12. The applications (IA No. 13/26 & 14/26) moved on behalf of applicant/accused for grant of interim bail are accordingly disposed of as allowed.

13. Copy of this order be given dasti to both sides and also be sent to Jail Superintendent concerned for information and compliance.

(Jitendra Pratap Singh)
ASJ/Spl. Judge, NDPS/N Delhi
01.08.2026/r