

IA No. 33/2024
SC No. 53/2022
State Vs. Furkan Ahmad
FIR No. 760/2021
PS: New Usmanpur
U/s: 20/29/61/85 of NDPS Act

28.8.2024

**ORDER ON APPLICATION FOR GRANT OF INTERIM BAIL
FILED BY THE APPLICANT/ACCUSED FURKAN AHMAD**

1. This order of mine shall dispose of an application for grant of interim bail for two months filed by this applicant/accused Furkan Ahmad.
2. I have already heard the counsel for the applicant /accused and the Ld. Addl. Public Prosecutor for State.
3. Sh. Amit Gupta, Ld. Counsel for the applicant/accused Furkan Ahmad has submitted that the wife of the applicant/accused is suffering from various health issues i.e. bleeding, passing clots, abdomen pain, etc. and she is under treatment in Microcare Medical Centre, Delhi and doctor has advised immediate surgery upon her and date of surgery has been given as 02.09.2024. He has also submitted that the applicant/accused is the only single male member in his family and there is no one for taking care of his minor children and his wife.
4. Ld. Counsel for the applicant/accused has further submitted that this applicant/accused has also earlier been granted interim bail on many occasions, but, he never misused the liberty and had surrendered in the jail timely. He has also submitted that on dated 03.6.2024, the Hon'ble Court has granted interim bail to this applicant/accused for arrangement of accommodation for his family

and after completion of period of interim bail, he had surrendered before the jail and prayed for grant of interim bail for a period of two months to the applicant/accused, so that wife of the applicant/accused may get proper medical treatment/surgery.

5. On the other hand, Sh. F. M. Ansari, Ld. Additional Public Prosecutor for the State has vehemently opposed the present application and submitted that the applicant/accused has committed the heinous offences punishable U/s. 20/29/61/85 of NDPS Act and considering the gravity of the offences, this applicant/accused does not deserve the concession of interim bail and prayed for dismissal of the present application.

6. IO has verified the medical documents and the same are found to be genuine.

7. I have given thoughtful consideration to the submissions made by counsel for this applicant/accused and Ld. Additional Public Prosecutor for State and perused the record.

8. The documents regarding medical treatment of the wife of the applicant/accused filed alongwith the application have been duly verified by the IO. It is not in dispute that the wife of the applicant/accused has been suffering from various health issues and her surgery is scheduled on 02.9.2024.

9. No doubt that the applicant/accused is alleged to have committed the heinous offences punishable U/s. 20/29/61/85 of NDPS Act, which are serious in nature, however, the wife of the applicant/accused requires proper treatment/surgery and medication, which is a fundamental and a basic human right of every individual and it has been verified by the IO that there is no one other than the applicant/accused to take care of his wife, therefore, in the given

circumstances, this applicant/accused Furkan Ahmad is granted interim bail for a period of four weeks from the date of his release, on furnishing personal bond in the sum of Rs.50,000/- with two sureties of the like amount each, subject to the following terms and conditions:

- (1). The applicant/accused shall remain available on the mobile numbers, shared by him with the Investigating Officer, which shall be kept operational at all the time;
- (2). The applicant/accused shall not indulge in any act which may prejudice either the trial or influence the prosecution witnesses; and
- (3). The applicant/accused shall duly surrender before the concerned Superintendent Jail on the expiry of the interim bail.

10. In the above said terms, the application for grant of interim bail filed by applicant/accused Furkan Ahmad stands allowed. Copy of this order be given dasti. **Attested copy of this order be sent to the Superintendent of Central Jail concerned for supplying the same to this applicant/accused.**

(PUNEET PAHWA)
**Special Judge (NDPS)/Addl. Sessions Judge/
North East/KKD Courts/Delhi/28.8.2024**