

SC 436/2021  
STATE Vs. SUSHIL KUMAR ETC (13)  
FIR No. 218 /2021  
PS Crime Branch-North Delhi  
U/s: 302/307/308/364/365/452/323/342/188/  
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC  
U/s 25(1)(B)/27(1)Arms Act

16.05.2023

File taken up today on an application U/s. 439 Cr. P. C for extension of interim bail moved on behalf of applicant/accused **Rahul Kumar.**

Present: Sh. J. S. Malik, Ld. Substitute Addl. PP for the State.  
Sh. Yogesh Pandey, Ld. counsel for applicant/accused.

**Regular Ld. Additional PP for State is on leave.**

Reply to the above said application received from the IO.  
Same is taken on record.

Ld. counsel for applicant/accused submitted that Ld. counsel for applicant/accused submitted that vide order dated 28.04.2023 this Hon'ble Court was granted the interim bail of applicant/accused for a period of one week on the ground that his father is suffering from carcinoma and was admitted in hospital. It is further submitted that mother of the applicant/accused is also suffering old aged ailments and there is no one in the family of the applicant/accused to look after his ailing father as his brother has been living separately from his parents for the last seven years. It is prayed that interim bail of applicant/accused may be extended.

On the other hand, Ld. Substitute Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is further submitted that this Hon'ble Court has already extended the interim bail of applicant/accused on humanitarian ground till today i.e. 16.05.2023. On dated 12.05.2023 this Hon'ble Court had directed the IO to furnish the family details of applicant/accused and as per the report another brother of applicant/accused is living separately just near the house of his parents and two real brother of his father are also residing in the same vicinity. It is further submitted that

all the family members of applicant/accused are available for taking care of the father of applicant/acused. It is prayed that the above said application may be dismissed.

Again, Ld. Counsel for applicant/accused submitted that presence of applicant/accused is required for taking care of his father as his brother and brothers of his father residing separately. It is further submitted that interim bail of applicant/accused may be extended to the applicant/accused on humanitarian ground and he will be surrender after expiry of extension of interim bail before the concerned Jail Superintendent.

Heard.

Without going into merits, considering that the father of applicant/accused is in hospital and also considering the submissions of ld. counsel for applicant/accused he will be surrender before the concerned jail superintendent on 21.05.2023, on the humanitarian ground interim bail of **applicant/accused is extended till 21.05.2023 on the same terms and conditions of interim bail application order.** Application stands disposed off. Interim bail application file be tagged with the main file. **A Copy of this order be sent to concerned Jail Superintendent and be given dasti to Ld. counsel for applicant/accused.**

(Shivaji Anand)

Addl. Sessions Judge: 04 (North)

Rohini Courts: Delhi:16.05.2023<sub>(RB)</sub>