

CNR No. : DLNT01-011784-2016
SC No.: 59318/2016
STATE Vs. MANOJ @ MORKHERI
FIR No. 55 /2016
PS Crime Branch-North Delhi
U/s. 3(1), 3(4), 3(5) MCOCA ACT

28.01.2023

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

Present: Sh. Sanjay Jindal, ld. Addl. PP for the State.
Sh. Rahul Lather and Deepak Rajwar, ld. counsels for the applicant/accused.

Reply to the application has been filed.

It is submitted by ld. counsel for the applicant/accused that the wife of the applicant/accused has some medical problem and the doctor has advised surgery (hysterectomy) of the wife of the applicant/accused and the same is scheduled for 04.02.2023 (medical documents are annexed with the application). He has further submitted that there is no one in his family to look after her. He has only one minor daughter hence, he has prayed for grant of interim bail to the applicant/accused. Ld. counsel for the applicant/accused further submitted that he has moved the similar application for grant of interim before Sh. Deepak Wason, Ld. Special Judge (NDPS), Dwarka Courts, Delhi and the same has been allowed on the ground of ill health of his wife.

On the other hand, ld. Addl. PP for the State has opposed the bail application on the ground that the offence is heinous in nature. He has further submitted that he had been absconding earlier and was arrested after many years in 2020. He has further submitted that he may misuse the liberty and may abscond again. Hence, he has prayed for dismissal of the bail application.

Heard.

After perusing the medical documents of the wife of the applicant/accused, it reveals that doctor has advised hospital stay for two days before operation and need to stay three days post operation. Hence, keeping in view the medical documents and also considering the fact that there is no male member in the family of the applicant/accused to look after his wife, on humanitarian ground, **it is ordered that applicant/accused be released on interim bail for a period of 7 days i.e. w.e.f 02.02.2023 to 09.02.2023 on his furnishing personal bond in the sum of Rs. 1 Lakh with two sureties in the like amount. The applicant/accused is directed to surrender before the concerned Jail Superintendent immediately after the expiry of period of interim bail and concerned jail superintendent shall send his report immediately thereafter.** However, he is further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime. The applicant/accused shall share his phone's live location as and when required by the IO. In case, it is prima facie brought to the notice of the court that the applicant/accused is violating the said conditions, the interim bail granted to him shall be liable to be canceled . The interim bail application is disposed off accordingly.

Interim bail application file be tagged with the main case file.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:28.01.2023_(R)