

**IN THE COURT OF MS. SHIVALI SHARMA
LD. ASJ-03, TIS HAZARI COURT, DELHI**

**SC No. 49-2021
FIR No. 301-2019
PS Crime Branch
State vs Sonu Kumar
u/s 21/29 NDPS Act**

09.06.2023

The present application has been put up before this Court being I-Link Court of Sh. Rakesh Kumar Rampuri, Ld. Spl. Judge (NDPS), West District, THC, Delhi, who is reported on leave today.

File taken up today on an application u/s 439 CrPC filed on behalf of applicant/accused Sonu Kumar seeking interim bail for 2 months on medical grounds.

Present: Sh. Jitendra Sharma, Ld. Additional PP for the State.
Sh. Deepak Ghai, Ld. Counsel for the applicant/accused.
IO/SI Ram Krishan in person.

1. Reply to the bail application filed by the IO. Copy supplied.
2. Arguments on the bail application heard. Record perused.
3. This is an interim bail application filed on behalf of accused on medical grounds of his wife. Earlier, he was granted 10 days interim bail vide order dated 18.01.2023 on the medical grounds of his wife.
4. It is submitted that the wife of the applicant is suffering from acute anaemia with PID with dysfunctional uterine bleeding and has been advised hospitalisation and 2 unit blood transfusion. The applicant has two minor children aged about 5 years and 2 years and

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there is no one to look after his children and wife. Hence, the present application.

5. As per the reply filed by the IO, the medical condition of the wife of the applicant has been verified. It is also verified that she needs hospitalization and blood transfusion but the application is opposed on the ground that commercial quantity of heroin has been recovered from the accused.

6. Considering the medical condition of the applicant's wife and the fact that there is no one to take care of wife of applicant and his minor children and also considering the fact that he has not misused the benefit of interim bail granted to him earlier, the present bail application is allowed and the accused be released for 15 days from the date of his release subject to his furnishing bail bond in the sum of Rs. 25,000/- with one surety in the like amount subject to the following conditions:

- A) That accused shall not come in contact with or try to influence any of the witnesses connected with the case either directly or indirectly.
- B) That accused shall not directly or indirectly make any inducement, threat or promise to any person so as to dissuade him/her from disclosing the facts before the court and accused shall not tamper with the evidence in any manner;
- C) That accused shall not visit in the radius of 3kms from the house of the complainant/victim.
- D) That accused shall furnish his mobile number to the IO/SHO.
- E) That the accused shall furnish the certificate/medical documents of

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the operation of his wife during his release alongwith the payment receipt made towards the medical expenses.

7. It is hereby made clear that in the event of breach of any of the aforesaid terms and conditions of bail on the part of accused person, is open for complainant/IO/SHO/State to seek cancellation of the bail being granted to the accused. With these directions, the bail application stands disposed off.

8. Copy of the order be given dasti to both the parties as prayed for. A copy be also sent to Jail Superintendent for intimation.

9. Nothing expressed herein shall tantamount to an opinion on merits of the case.

Shivali Sharma
Link Additional Sessions Judge(West)
Tis Hazari Court/09.06.2023