

**SC 250/2025**  
**STATE Vs. MUNIP MAHTO AND ANR.**  
**FIR no. 246/2024**  
**PS Crime Branch-West Delhi**

**27.09.2025**

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.  
Ld. Counsel for the applicant/accused.  
IO ASI Somnath Gill in person

File perused.

This is an application filed on behalf of the applicant/accused Baljeet Kumar for grant of interim bail on the ground of death of his mother.

Reply filed on behalf of the IO. Copy supplied. Arguments heard. Record gone through.

It is submitted by the Ld. Counsel that the mother of the applicant/accused had expired on the intervening night of 25/26.09.2025 at native place i.e. Village Bhaluhi, Sukhpura, Ballia, UP and the presence of the applicant/accused is necessary to attend last rights and ceremonies/rituals of his mother. With these submissions, prayer is made for grant of interim bail for four weeks.

On the other hand, Ld. Addl. PP for the state has strongly opposed the present interim bail application of the accused and prays for its dismissal on the ground that the allegations against the accused are serious in nature.

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In the present case, chargesheet has been filed for the offences u/s 20/25/29 of NDPS Act of NDPS Act. It has been held by the Hon'ble High Court of Delhi in *“Athar Pervez vs State” (Crl. Ref. 1/2015, decided on 26.01.2016)* that the power to grant interim bail is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release. It has been further held that while rejecting or accepting an application for grant of “interim” bail, the trial Court will keep in mind the strict provisions of Sec 37/32 of NDPS Act and only when there are compelling reasons which would justify and require the grant of “interim” bail, should the application be allowed. It was further held that the Court must take into account whether or not the accused/convict is likely to commit or indulge in similar violations.

The death of the mother of the applicant/accused has been duly verified by the IO. Accordingly, without going into merits of the case, on humanitarian grounds, the applicant/ accused is admitted to interim bail for one weeks from his release on furnishing of personal bond in sum of Rs.50,000/- along with one surety in the like amount on the following conditions:

1. That the accused shall provide his mobile number to the concerned IO/SHO on which accused may be contacted, if

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required or necessary. Accused shall ensure that the said number shall be kept active and switched on all the times.

2. That accused shall not indulge into similar offence or any other offence in the event of release on interim bail.
3. That accused shall not tamper with the evidences in any manner.
4. That in case of change of residential address, accused shall intimate the court about the same.
5. That accused will surrender before the authorities concerned after the expiry of interim bail.

Nothing stated herein above shall tantamount to be an expression of final opinion on the merits of the case. With above observations, application stands disposed off accordingly.

Copy of the order be given dasti as prayed for. Copy of the order be also sent to the concerned Jail Superintendent for intimation and record.

**(SATVIR SINGH LAMBA)**  
**ASJ/SPECIAL JUDGE (NDPS),**  
**WEST DISTRICT, DELHI/27.09.2025**