

IA-16-22 SC No-713-2021

State V. Riayzuddin @ Pintu

FIR No. 253/2021

PS Narela

Under Section 21/25/29 NDPS Act

21.05.2022

Present: Ms. Promila Singhal, Ld. Substitute Addl. P.P for the State

Sh. S.K. Srivastav & C.D Rai, Ld. Counsel for the applicant/accused
I.O with case file.

Arguments heard on the application under Section 439 Cr.P.C for grant of interim bail to accused-applicant on the medical condition of his son.

It is pleaded on behalf of the applicant that the accused/applicant has three minor children and one of them namely Rehan aged about 10 years is suffering from brain related serious illness and complication due to which he is constantly having headache, vomiting, fever and neck pain. On advice of the doctor, MRI of the said child was got done which diagnosed that he is having tiny 4-5 hyper dense lesion in left basal Ganglia. Earlier, his treatment was going on from R.P. Balaji Hospital, but there was no improvement. Accordingly, the child was taken to Satyawati Raja Harish Chandra Govt Hospital Narela from where he was referred to G.B Pant Hospital for treatment. There is no male member in the family of the accused/applicant as his wife is also having seven month old baby to take care of. Hence, prayer is made for grant of interim bail to the accused/applicant.

Per contra, Ld. Substitute Addl. P.P for the State has submitted that the medical documents of the son of the accused applicant are verified, but they are opposing the present application as there is no need of admission of the patient in the hospital at this stage.

Heard and considered.

The documents from RP Balaji Hospital are verified and found to be correct. On the advice of doctor of the said hospital, NCCT Head of the patient (son of accused/applicant)

was done at Rapid Medicare in which tiny 4-5 hyper dense lesion in left basal Ganglia were seen. Thereafter, the said son of the accused/applicant was taken to SRH Hospital from where he was referred to G.B Pant Hospital in Neurology Department. All the medical documents reflect that son of the accused/applicant is suffering from ailment in the brain and needs medical treatment for the same. There is no male member in the family of the accused/applicant to take care of the said child.

Keeping in view the above facts and circumstances of the case, **the accused/applicant Riazuddin @ Pintu is admitted to interim bail for a period of 10 days (ten days) subject to furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount on the following conditions:**

- i) That the applicant/accused shall not leave Delhi without prior intimation to the IO/Court either by written intimation or through SMS to IO on mobile phone in advance;
- ii) That the applicant/accused will supply all numbers of his functioning phones/mobile phones to the IO as well as about his whereabouts.
- iii) That the applicant/accused shall not tamper with the evidence;
- iv) That the applicant/accused shall not try to contact in any manner or threat the prosecution witnesses;
- v) That in case of change of his residential address, he shall intimate the court about the same;
- vi) That the applicant shall attend the Court on each and every date of hearing without fail.
- vii) In case of involvement in any criminal case during bail period the bail shall be liable to be cancelled.

(Gagandeep Singh)
ASJ/Spl. Judge (NDPS):
North, Rohini Courts, Delhi
21.05.2022