

Bail No.2139/2026
FIR No.80013271/2025
PS OIA
U/s 303(2)318(4) /3(5) BNS
State Vs. Saurabh

01.08.2026

Present : Sh. L.D. Singh, Ld. Sub. Addl. PP for State.
Sh. Akhil Rexwal, Akash and Divya, Ld. Counsels for
accused/applicant
IO/SI Bhag Singh in person.
Complainant absent.

- 1) Today, the matter is fixed for consideration on interim bail application u/s 483 BNS moved on behalf of accused/applicant.
- 2) *Briefly*, the facts of this case are that the accused/ applicant has been arrested in the present matter upon complaint of complainant whereby it is alleged that he had lost his mobile phone and thereafter someone has misused the bank account of complainant and his mother and some amount has been withdrawn which caused loss to the complainant for Rs. 1,20,565/-. Further, the accused used the wifi installed in his house and connected with stolen mobile phone to do the UPI Transactions and transferred complainant's money into beneficiary bank account. The accused has been in JC since 23.04.2026.
- 3) This is a bail application for seeking interim bail moved on behalf of accused/ applicant on the grounds of medical grounds of mother

of accused/applicant. It is prayed that the accused/ applicant be granted interim bail since the mother of accused/applicant is suffering from several ailments and there is no other person to take care of the mother of accused/applicant. With the aforesaid application accused has relied upon several medical records pertaining to mother of accused wherein she has gone for treatment to different hospitals like Holy Family Hospital, All India Institute of Ayurveda and Pandir Madan Malviya Hospital during the month of July, 2026.

- 4) IO has verified the factum of visit of the mother of accused/applicant to aforesaid hospitals for treatment for various medical issues faced by her but it is also mentioned that she has not gone for further follow-ups.
- 5) Ld. Addl. PP for the state has opposed the application on the ground that allegations are serious. He has further submitted that offence committed by applicant/ accused is serious in nature and therefore, present application be dismissed.
- 6) I have heard the arguments advanced by Ld. Counsel for applicant/ accused, Ld. Addl. PP for the State and have carefully perused the record.

7) In the present matter, applicant/ accused is facing allegations u/sec. 303(2)/318(4) BNS. The medical documents pertaining to mother of accused/applicant has been verified. The same shows that she has visited several hospitals for treatments but has not gone for follow-up. It implies that the mother of the accused/applicant is not in a condition to go herself for further follow-up or treatment and requires assistance. Interim bail on the grounds of medical ailment of family member, is a legal concept that allows a prisoner to be released from jail. After considering all the present facts and circumstances, I am of the considered view that applicant/ accused deserves to be enlarged on interim bail as the mother of accused/applicant is unwell and is of old age (aged around 58 years). Further, apprehension raised by prosecution, can be taken care of by imposing necessary conditions.

8) **Accordingly, in view of the above, applicant/ accused Saurabh, is granted interim bail till 17.08.2026 from the day of his release, subject to furnishing personal bond and surety bond in the sum of Rs.10,000/- with one surety of like amount, subject to the satisfaction of concerned Court/ Ld. Link JMFC/ Ld. Duty JMFC.**

Further, this order entails following conditions :-

- a) Application shall not leave the India without permission of this Court.

- b) Applicant shall keep his mobile phone in switch on mode, all the time by furnishing its details to the IO concerned, in writing within three days from now.
- c) In case, he changes his mobile number, then he will inform IO concerned in writing, within one day of said change.
- d) Applicant shall not try to meet complainant and/or his family members till the adjudication of this case.
- e) Applicant shall not threaten complainant/ witnesses physically or verbally through any electronic mode.
- f) **At the time of the release, the Jail Superintendent will inform the applicant in writing of the date and time, within which he must surrender.**

Copy of this order be sent to Superintendent, Tihar Jail, concerned, for information and compliance.

Application stands disposed off, accordingly.

Order Dasti.

[Sheetal Chaudhary Pradhan]
ASJ-02, South-East/Saket/Delhi
01.08.2026_(vk)