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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.A. 756/2016

KINGSLEY CHINEDU UDEOFOR Appellant
Through Mr. J. S. Kushwaha, Adv.

versus

STATE (NCT OF DELHI) Respondent
Through: Mr Tarang Srivastava, APP for State.
ASI Abdul Hakim

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

% **ORDER**
31.10.2019

Crl. M.(Bail) No.1708/2019

1. The appellant has filed the present application, *inter alia*, praying that the sentence awarded to the appellant be suspended till the disposal of the appeal. However, the learned counsel appearing for the appellant states that the appellant would be satisfied if the sentence is suspended on an interim basis. He states that the appellant is suffering from Tuberculosis and he is not satisfied with the treatment being afforded by the Jail Authorities.
2. The Jail Authorities have furnished the nominal roll which indicates that the appellant has already undergone sentence in custody for five years one month and twenty-six days as on 21.10.2019. It has been verified that the appellant has been diagnosed as a case of CAT-4 MDR-TB. In addition, the appellant complains of back and neck pain for which he is receiving

Orthopaedical treatment and physiotherapy in jail. So far as TB is concerned, the appellant is being treated from DOTS Centre of GTB Hospital.

3. Considering the medical condition of the appellant, and considering that he has already undergone the sentence for five years one month and twenty-six days, this Court considers it apposite to suspend his sentence on interim basis for a period of eight weeks from today.

4. The appellant would be released on furnishing a personal bond in the sum of ₹50,000/- and a surety of an equivalent amount to the satisfaction of the Jail Superintendent. The appellant shall also provide a mobile number on which he shall be reachable at all times. The appellant shall also report to the S.H.O. Police Station Uttam Nagar on each Monday of the calendar week at 10:30 AM. In case, due to his medical condition, the appellant is unable to do so, the surety shall report to the concerned S.H.O. on the appointed date and time to satisfy him as to the whereabouts of the appellant. The appellant shall surrender on or before the expiry of the stipulated period.

5. The application stands disposed of in the aforesaid terms.

6. Order *dasti* under the signatures of the Court Master.

OCTOBER 31, 2019
DR

VIBHU BAKHRU, J