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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 2772/2015
JAVED

..... Petitioner

Through Ms Vagisha Kochar, Adv.
versus
STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through Mr Akshai Malik, Additional Public
Prosecutor for the State alongwith Sub
Inspector Uma Datt Police Station Mangol
Puri, Delhi

CORAM:
HON'BLE MS. JUSTICE SUNITA GUPTA

ORDER

% 09.02.2016

BAIL APPLN. 2772/2015 & Crl. M. (Bail) 247/2016

Initially, the application (Bail Appln. 2772/2015) was moved by the petitioner for grant of interim bail on the ground that the petitioner is required to undergo surgery for gall bladder stone. During the pendency of this application, another application (Crl. MB 247/2016) was moved by the petitioner for grant of interim bail on the ground that the real sister of the petitioner is going to get married on 15.02.2016 and the wedding ceremonies will commence from 10.02.2016.

Learned counsel for the petitioner submits that the petitioner be granted interim bail for attending marriage and during this period he will also get his medical treatment.

The factum of the petitioner suffering from gall bladder stone and marriage of real sister of the petitioner has been verified by the State. However, learned Additional Public Prosecutor for the State opposes grant of interim bail to the petitioner on the ground that the petitioner is facing trial in a murder case; the entire prosecution evidence is complete as such there is every possibility that the petitioner may jump bail.

Learned counsel for the petitioner submits that on an application moved by the co-accused, one of the doctors has been recalled for the purpose of further cross examination on 15.02.2016.

However, petitioner will not seek exemption on 15.02.2016 and will appear in the Court and will join the wedding ceremony after attending the Court. She further submits that the petitioner is 19 years of age. He may be put to any terms and conditions but for attending marriage of his real sister and for medical treatment, interim bail be granted to him.

In the aforesaid circumstances, the petitioner is granted interim bail for a period of seven (7) days, which will be effected from the date of his release, subject to the following conditions:

- (i) On his furnishing personal bond in the sum of Rs. 1 lac with two sureties in the like amount – one of whom should be a local one, to the satisfaction of concerned Trial Court.
- (ii) He is directed to report to the concerned SHO Police Station Mangol Puri, Delhi every day at 9 am except on the date when he will hospitalize for the surgery of gall bladder. In case same is not done for any reason whatsoever, then he is directed to report to the concerned SHO.
- (iii) He is further directed not to leave Union Territory of Delhi during this period of interim bail.
- (iv) He shall give his address and contact number to the concerned SHO, Trial Court as well as to this Court.
- (v) He will not contact any prosecution witnesses or coerce, threaten or pressurize them.
- (vi) He shall not indulge in any criminal activity.
- (vii) He shall surrender before the Superintendent, Tihar Jail on expiry of interim bail.

Both the applications stand disposed of accordingly.

A copy of this order be given *dasti* under the signatures of the Court Master to counsel for the petitioner.

SUNITA GUPTA, J

FEBRUARY 09, 2016/*rd*