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

+ **BAIL APPLN. 868/2017**

SUSHIL KUMAR Petitioner

Through: Mr.K.Singhal, Adv.

versus

STATE NCT OF DELHI Respondent

Through: Dr.M.P.Singh, APP.
SI Dinesh Kumar, P.S.Rankola.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **12.05.2017**

The petitioner has sought interim bail during the pendency of the trial on the ground of illness of his son. It is submitted on behalf of the petitioner that he is suffering from blood cancer. The aforesaid fact has been verified and has been found to be true. The status report reveals that the son of the petitioner is suffering from Anaemia and Diarrhoea.

The petitioner is in custody since 09.05.2015.

He has been made accused in a case under Section 363/366/376D and 34 of the IPC and Sections 4 & 6 of the POCSO Act. Till now, only two witnesses including the complainant has been examined and the complainant in her testimony has not alleged anything against the petitioner.

However, taking into account the illness of the son of the petitioner, this Court is persuaded to release the petitioner on interim bail for a period of four weeks from the date of his release. While doing so, this Court has

taken into consideration the fact that earlier also the petitioner was released on interim bail and he surrendered before the jail authorities on the expiry of the period.

Let the petitioner be released on interim bail for a period of four weeks, to be counted from the date of his release on his furnishing a bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court.

The petitioner shall, however, abide by the following conditions:-

- a) The petitioner shall surrender before the jail authorities on or before the expiry of the said period of interim bail.
- b) The petitioner shall not engage himself in any unlawful activity.
- c) The petitioner would not leave, under any circumstance, the National Capital Territory of Delhi.
- d) He shall furnish his mobile telephone number and the mobile telephone number of his surety to the SHO of the concerned police station so that in case of necessity he could be tracked and his whereabouts could be ascertained.

In case, the petitioner flouts any one of the conditions, an application could be moved by the SHO for cancellation of his interim bail and for taking of coercive steps for securing his attendance.

With these observations, the application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

MAY 12, 2017

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