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

+ **BAIL APPLN. 1259/2017**

MOHD. FAROOQ Petitioner
Through Mr. Sumeet Verma, Adv.

versus

STATE Respondent
Through Mr. Arun Kumar Sharma, APP.
Mr. Tarunesh Kumar, Adv. for the
complainant

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **11.08.2017**

The petitioner seeks interim bail in connection with Sessions Case No.24/2014 in which the petitioner is being tried for offences under Sections 365, 302, 201, 120B and 34 of the IPC.

The petitioner is required to be present along with his son for the admission of his son in a Madrasa for Haafza class.

Learned counsel for the petitioner has drawn the attention of this Court to such requirement which has been made mandatory by the management of the Madrasa. It has further been submitted that the petitioner is in custody since 17.01.2014 and on two occasions in the past, he had been released on interim bail. On both the occasions, the petitioner returned to jail on time and while he was on interim bail, no case was reported against him. It has further been submitted that all the five brothers of the petitioner have been made accused in this case and out of them, three

are on bail. One of the brothers is still in jail.

Mr. Arun Kumar Sharma, learned APP, however, has opposed the grant of interim bail on the ground that the other members of the family of the petitioner are present in his home town and they can very well get the son of the petitioner admitted in the Madrasa. It has also been submitted that the management of Madrasa never insists for the presence of the father for admission.

However, regard being had to the circumstances which have been enumerated above, this Court is inclined to release the petitioner on interim bail for three weeks.

Let the petitioner be released on interim bail for a period of three weeks 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, before leaving for Bulandshahar, shall meet the SHO of the concerned police station at Delhi and inform about his village address. On reaching Bulandshahar, he shall inform the SHO of the police station in which territorial jurisdiction, the village home of the petitioner lies and would also get his presence marked on every Monday of the week in the police station. The petitioner shall surrender on time.

Any adverse report against him would entitle the State to approach the Trial Court for cancellation of his interim bail.

The bail application is disposed of.

ASHUTOSH KUMAR, J

AUGUST 11, 2017

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