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

+ **BAIL APPLN. 2413/2016 & Crl.M.A. 18347/2016**

MAHESH SHARMA

..... Petitioner

Through: Mr. Saurabh Kansal & Ms. Pallavi S.
Kansal, Advs.

versus

STATE

..... Respondent

Through: Mr. Amit Chadha, APP for the State
with SI Arvind Kumar, PS Sonia
Vihar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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16.05.2017

The applicant is facing trial on the charge for offence under Section 302/201 IPC in criminal case arising out of FIR No. 337/2013 of police station Sonia Vihar. By the application at hand moved in November, 2016, he sought release on interim bail for three months on two grounds, one being to complete dissertation which he is required to submit as part of the curriculum for the degree for Master of Arts in Rural Development (MARD) and the other for taking physiotherapy for the persistent medical condition of back ache, such facility not being available in the jail hospital.

On 22nd March, 2017, time was taken for documents to be submitted in the context of prayer for release with reference to academic pursuit. No documents have been submitted till date, inspite of adjournment being taken on 11th April, 2017. The counsel for the applicant submits there are no documents available.

Coming to the other ground, reference is made to report dated 24.10.2016 of Medical Officer, incharge, Central Jail Dispensary of Jail No. 8 & 9 Tihar to the effect that no physiotherapist was posted in the jail during that period. If the same situation prevails even now, it is the obligation of the jail administration to arrange physiotherapy, upon it being recommended/prescribed, from nearby government hospitals. This, however, would not mean that the applicant requires to be released on bail.

The application is dismissed.

The Superintendent Jail shall make necessary arrangements for physiotherapy sessions for the applicant, subject to proper prescription/recommendation, from outside nearby government facilities if no such facility is available even now in the jail.

R.K.GAUBA, J

MAY 16, 2017

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