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

+ **BAIL APPLN. 1871/2017**

BIJENDER

..... Petitioner

Through: Mr.Rajesh Kumar & Mr.Sanjay Jain,
Advocates

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr.Sanjeev Sabharwal, APP for the
State with SI Vijay Pal, Spl.Staff/SD

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **18.09.2017**

CRL.M.A.15539/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

BAIL APPLN.1871/2017

1. By way of this application filed under Section 439 Cr.P.C., the petitioner is seeking extension of interim bail granted vide order dated 11th August, 2017 to enable him to take care of his son Rahul who is suffering from Dengue and is hospitalised in Metro Hospital.
2. Learned counsel for the petitioner submits that vide order dated 11th August, 2017 the petitioner has been granted interim bail for a period of one month to enable him to arrange funds for admission of his son Rahul, who was studying in 12th Standard and has been issued School Leaving Certificate due to non-deposit of fees.

3. Learned counsel for the petitioner submits that by filing the instant bail application, the petitioner is seeking extension of interim bail granted vide order dated 11th August, 2017 as his son Rahul is suffering from dengue and has been admitted in Metro Hospital, Gurgaon on 12th September, 2017 and still under treatment. The wife and the mother of the petitioner have already expired and there is none-else to take care of the son who is admitted in hospital. Learned counsel for the petitioner submits that since the petitioner has already surrendered before the concerned Jail Superintendent on 17th September, 2017 on expiry of interim bail, this application may be treated as an application for grant of interim bail.

4. Status report has been filed by the State stating therein that Rahul - son of the petitioner, who is suffering from Dengue, is admitted in Metro Hospital and still under treatment. It is not disputed that the petitioner had already surrendered before the Jail Superintendent on expiry of the period of interim bail. It is submitted that the brothers of the petitioner, who are living near the house of the petitioner, can take care of his son.

5. Considering the ground on which the petitioner is seeking bail i.e. to take care of his son who is suffering from Dengue and still admitted in Metro Hospital, the petitioner is granted bail for a period of ten days from the date of his release on his furnishing personal bond in the sum of ₹20,000/- with one surety in the like amount to the satisfaction of concerned Jail Superintendent.

6. The petitioner is directed to surrender before the concerned Jail Superintendent on expiry of interim bail.

7. Application stands disposed of.

8. Copy of the order be given dasti to learned counsel for the petitioner under the signature of Court Master.
9. A copy of the order be also sent to the concerned Jail Superintendent through Special Messenger.

SEPTEMBER 18, 2017
'st'

PRATIBHA RANI, J.