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

+ **BAIL APPLN. 2499/2017**

RAJESH @ KANASTER

..... Petitioner

Through: **Mr.Jai Subhash Thakur, Advocate.**

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: **Ms.Rajni Gupta, APP for the State
with SI Parveen Kumar, PS Rani
Bagh.**

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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19.12.2017

1. The petitioner has filed the instant bail application under Section 439 Cr.P.C. seeking interim bail in case FIR No.350/2017 under Section 392/397/454/34 IPC, PS Rani Bagh on the ground of illness of his son Master Manpreet Rathore.

2. Learned counsel for the petitioner submits that son of the petitioner is suffering from High Risk Neuroblastoma (cancer of adrenal/parasympathetic gland) and has been undergoing treatment at Apollo Hospital since 16th July, 2017. Learned counsel for the petitioner further submits that son of the petitioner has to visit the hospital for chemotherapy and supportive care, hence petitioner may be granted interim bail for thirty days to lookafter his son.

3. Status report has been filed by the State verifying the factum of illness

of the son of the petitioner. Alongwith the status report, a certificate issued by Dr.Manas Kalra of Indraprastha Apollo Hospital has been annexed as per which Master Manpreet Rathore has High Risk Neuroblastoma (cancer of adrenal/parasympathetic gland) and he keeps coming to the hospital for chemotherapy or for supportive care. Though date of admission is not fixed but Master Manpreet may need emergency admissions and if his cancer gets well controlled with chemotherapy he will need surgery followed by radiotherapy.

4. Learned APP for the State has opposed the prayer for grant of interim bail submitting that the petitioner is BC of the area and he is involved in more than 30 criminal cases as per his dossier.

5. Learned counsel for the petitioner submits that the petitioner is on bail in all the cases registered against him.

6. Considering the ground for which the petitioner is seeking interim bail i.e. to take care of his son who is suffering from High Risk Neuroblastoma (cancer of adrenal/parasympathetic gland), the petitioner is granted interim bail for a period of thirty days from the date of his release on his furnishing personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of learned Trial Court/Link Court subject to the following conditions:-

(i) During the period of interim bail, the Petitioner shall report to the Duty Officer, P.S. Rani Bagh, Delhi on every Monday at 11.00 AM.

(ii) During the period of interim bail, the Petitioner shall remain in Delhi and he shall not cross the border/limits of NCT of Delhi.

(iii) While submitting the bail bond, he will furnish to the Jail Superintendent the address and the contact numbers of the place where he

would reside during the period of interim bail.

7. On expiry of the period of interim bail, the Petitioner shall surrender before the concerned Jail Superintendent, who shall submit the surrender report to this Court.

8. It is directed that after the petitioner surrender before the Jail Superintendent on expiry of period of interim bail, the learned counsel for the petitioner shall submit with the Registry the medical papers of the son of the petitioner pertaining to treatment undergone during the period of interim bail.

9. It is further made clear that no prayer for extension of interim bail shall be entertained on this very ground.

10. The bail application is allowed.

As prayed, copy of the order be given *dasti* to learned counsel for the petitioner under the signature of Court Master.

PRATIBHA RANI, J.

DECEMBER 19, 2017

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