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

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Judgment delivered on: 09.05.2018

+ BAIL APPLN. 658/2018

DILSHAD

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sumer Kumar Sethi with Ms. Dolly Sharma,
Advocates.

For the Respondent : Mr. Arun Kumar Sharma, APP for the State.
ASI Pawan Kumar, Crime Branch

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

09.05.2018

SANJEEV SACHDEVA, J. (ORAL)

BAIL APPLN. 658/2018

1. Petitioner seeks interim bail for a period of two months in case FIR No.98/2017 under Sections 21/25/29 NDPS Act, Police Station Crime Branch, Delhi.

2. The petitioner is alleged to have been found with 240 grams of heroin (commercial quantity being 250 gm). The petitioner has been incarcerated since 24.06.2017.

3. Interim bail is sought on the ground that the wife of the petitioner is unwell and the family of the petitioner comprises of his aged father, wife and eight children. The additional affidavit was filed indicating that apart from illness of his wife, the house of the petitioner is in completely dilapidated state and needs urgent repairs. Further, it is contended that in the year 2013, the wife of the petitioner was diagnosed with Meningitis Tuberculosis.

4. It is submitted by learned counsel for the petitioner that he is a mason and if released would be in a position to repair his house himself so that his family can reside therein during the ensuing monsoon.

5. States report has been filed, which though does not confirm that the wife of the petitioner has tuberculosis, however, confirms the structural picture of the parental house of the petitioner. The picture depicts the house in a completely dilapidated house and complete disrepair.

6. Keeping in view of the facts and circumstances of the case, I am of the view that the petitioner has made out a case for grant of interim bail for a period of four weeks from the date of his release.

7. The petitioner shall be released on furnishing a bail 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, on release,

immediately report to the local Police Station of his hometown at Chandaus, Aligrah within 48 hours. The petitioner shall thereafter once again report to the said police station after 15 days. The petitioner shall surrender on the completion of the period of four weeks from the date of his release.

8. Petition is disposed of in the above terms.

9. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 09, 2018
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