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

+ **BAIL APPL. 1393/2018**

VINOD

..... Petitioner

Through: Mr Sunil Mehta, Adv

versus

THE STATE (NCT OF DELHI)

..... Respondents

Through: Ms Meenakshi Chauhan, APP for
State

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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11.06.2018

CM No. 11417/2018

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPL. 1393/2018

The present application has been moved for grant of interim bail on behalf of the petitioner / Vinod on the allegation that he was found in possession of 11.40 gms. of smack and thus committed offence under section 21(b) NDPS Act, 1985 and a case was registered against him on 06.03.2018. It is submitted by the counsel for the petitioner that interim bail was granted to the petitioner on 19.05.2018 vide following order:-

“19.05.2018

This is an application for grant of bail u/s 439 Cr. P.C. moved on behalf of accused Vinod.

Present: J.S. Malik Ld. App for state.

Sh. Imtiaz Hussain Ld. Counsel for
accused/applicant.

SI Pardeep Singh, IO of the case.

During arguments Ld. Counsel for applicant is

seeking permission to treat his application as application for interim bail on the ground that daughter of the applicant is suffering from Gall Bladder stones which is also confirmed by the IO who stated that earlier test for operation of the applicant Shivani was fixed for 12.05.2018 but same could not take place.

It is submitted that on humanitarian grounds, let the applicant be released on bail so that he can attend his daughter during her illness.

In view of the submission made and the fact that chargesheet has been filed, let the applicant be released on interim bail for three days on furnishing personal bond in the sum of Rs. 25,000/- with one surety in the like amount.

- (i) That he will supply all his mobile phone numbers to the IO of the case.
- (ii) That he will not switch off his mobile phone or any in his nearest relative, who will answer the call of the IO of the case.
- (iii) That he will not leave the city during the period of interim bail.

After completion of the period of interim bail, applicant/accused shall surrendered before the concerned jail authorities.

A copy of the order be sent to the concerned jail authorities and to the bail sanction.

Present application stands disposed of accordingly and same be kept on record.

J.K. Mishra
Rohini, Spl, Judge (NDPS) North
Delhi”

Learned counsel for the petitioner contended that due to unavailability of concerned Doctor, Surgery of the petitioner's daughters could not be conducted and the date of surgery is fixed for 15.06.2018 or 16.06.2018.

Learned APP for the State appeared on advance notice and advanced her submissions.

In view of the submissions made, the application is allowed. The petitioner be released on interim bail for seven days from 14.06.2018 to 20.06.2018 subject to following conditions:

- (i) That he shall furnish personal bond in the sum of Rs.25,000/- with one surety of the like amount.
- (ii) That he will provide two mobile numbers to the Investigating Officer which shall remain active during the period of interim bail and will not leave the territory of NCT of Delhi.
- (iii) That he shall not directly or indirectly make any inducement, threat or promise to any witness so as to dissuade him from disclosing such facts.

After completion of the period of interim bail, applicant/accused shall surrender before the concerned jail authorities.

The application stands disposed of.

Dasti under signature of the Court Master.

SANGITA DHINGRA SEHGAL, J

JUNE 11, 2018 / SU