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

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Judgment delivered on:10.10.2018

+ BAIL APPLN. 2151/2018
AJAY

..... Petitioner

versus

THE STATE (N.C.T. OF DELHI) Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. B. S. Rana, Mr. Ronak Singh and
Mr. Amit Sharma, Advocates

For the Respondents : Mr. Raghuvinder Verma, APP
for State
ASI Ramdev, Narcotics Cell, Crime
Branch.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.10.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.32026/2018 (exemption)

Exemption is allowed subject to all just exceptions.

BAIL APPLN. 2151/2018

1. Issue notice. Notice is accepted by learned APP for the State.
2. Learned APP for the State has filed the status report, the same be taken on record.

3. Petitioner seeks interim bail for a period of one month in FIR no. 94/2018 under Section 21(C) NDPS, Police Station Crime Branch on the ground of illness of his wife and surgery for gallbladder stone.

4. Allegation in the FIR is that the petitioner was apprehended on secret information and one kilogramme of heroine was recovered from his possession.

5. Learned counsel for petitioner submits that petitioner has been falsely implicated. He submits that there is violation of Section 50 of NDPS Act with regard to the search.

6. Status report has been filed. Investigating Officer has confirmed that wife of petitioner is suffering from gallbladder stone and has been advised admission on 11.10.2018 and surgery is planned for 12.10.2018. Family of petitioner comprises of his wife and two minor children. His parents and relatives are residing in nearby areas.

7. Without commenting on the merits of the case and keeping in view the facts and circumstances of the case and also the fact that petitioner's wife requires to undergo surgery, petitioner is granted interim bail for a period of two weeks from the date of his release on petitioner furnishing a bond in the sum of Rs. 50,000/- with two sureties of the like amount to the satisfaction of the Trial Court. Petitioner shall not do anything which may prejudice the trial of the prosecution witnesses. Petitioner shall not leave the country without permission of the Trial Court. Petitioner shall surrender to the

Superintendent Jail on the expiry of the period of two weeks.

8. The petition is, accordingly, disposed of.

9. Order *dasti* under the signature of the Court Master.

OCTOBER 10, 2018
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SANJEEV SACHDEVA, J

