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

+ **BAIL APPLN. 980/2019 & CrI.M.A. 8232/2019**

MUKESH

..... Petitioner

Through: Mr. F.K. Jha, Advocate

Versus

GOVT. OF NCT OF DELHI

..... Respondent

Through: Ms. Neelam Sharma, Additional
Public Prosecutor for respondent-
State

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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16.04.2019

Received on transfer.

Interim bail of ten days to enable petitioner to perform marriage ceremony of his niece slated on 21st April, 2019 is sought. The factum of marriage stands verified. The Sessions Court vide order of 12th April, 2019 has declined interim bail to petitioner by observing that real brother of petitioner can perform all the rituals during the marriage ceremony of niece of petitioner.

Upon notice, learned Additional Public Prosecutor for respondent-State submits that petitioner is a habitual offender and was previously involved in six excise cases. Petitioner's counsel claims that petitioner has been acquitted in those cases of excise. However, in the instant case, petitioner is behind bars for possessing 2 kg of heroin and bar of Section

37 of *The Narcotic Drugs and Psychotropic Substances Act, 1985* applies.

Upon hearing, I find no case for grant of interim bail to petitioner is made out. The Sessions court has already permitted petitioner to attend the marriage of his niece in custody. It is clarified that petitioner be accompanied to the venue of marriage on 21st April, 2019 by police personnel who are in plain clothes.

With aforesaid clarification, these applications are disposed of.

The concerned Jail Superintendent be apprised of this order forthwith.

Dasti.

(SUNIL GAUR)
JUDGE

APRIL 16, 2019

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