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

+ **BAIL APPLN. 2188/2019**

MOBIN

.... Petitioner

Through Adv. (appearance not given)

versus

STATE

..... Respondent

Through Mr. Tarang Srivastava, APP for State
SI Sumit, PS Jyoti Nagar

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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03.09.2019

Crl. M.A. 34952/2019

Allowed, subject to all just exceptions.

This application is, accordingly, disposed of.

BAIL APPLN. 2188/2019

Vide the present application, the petitioner seeks interim bail for a period of two months so that he can search for his wife who has disappeared, treat her mental illness and to take care of his small children for equity and humanity.

Learned counsel for the petitioner submits that vide order dated 02.08.2019, the petitioner has been released on interim bail for a period of ten days. In the aforesaid order, the learned Sessions Court has clarified that bail bond would be furnished within two working days.

On 02.08.2019, it was Friday and two working days are Saturday and

Monday. Despite the petitioner furnished the bail bond on 05.08.2019, learned Judge has rejected his bail on the ground that the order has not been complied with and has become infructuous.

Since 03.08.2019 i.e. Saturday and 05.08.2019 is Monday, which was a second working day, therefore, it was miscalculation on the part of the learned Judge.

Accordingly, I hereby direct the court below to release the petitioner on bail for a period of 10 days from the date of his release on the same terms and conditions as imposed vide order dated 02.08.2019.

The application is allowed and disposed of.

Order *dasti* under the signatures of Court Master.

SURESH KUMAR KAIT, J

SEPTEMBER 03, 2019

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