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

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Judgment delivered on: 22.01.2019

+ BAIL APPLN. 2674/2018

NARENDER KUMAR

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sunil Mehta, Adv.

For the Respondent: Ms. Hirein Sharma, APP for the State with SI
Yogesh Kumar.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks interim bail for a period of four weeks to obtain proper and specialized medical treatment for his ailment for the ear and nose.
2. Learned counsel for the petitioner submits that the petitioner requires surgery for the said ailment.
3. Vide order dated 14.11.2018, Superintendent (Jail) was directed to have the petitioner examined from DDU Hospital with regard to his medical condition.

4. Thereafter, the petitioner was also examined at All India Institute of Medical Sciences. Subsequently, the petitioner had sought directions for being taken to Dr. Parveen Gulati Diagnostic Centre for the purposes of CT Scan and HRCT. The tests were conducted. Thereafter the petitioner was directed to be again examined by the doctors at AIIMS.

5. Medical report has been received. As per the medical report, doctors at AIIMS have stated that though the condition of the petitioner is stable, he requires surgery and the date of operation has been given as 25.08.2019 after Pre Admission Checks (PAC).

6. Learned Addl. PP submits that that the Investigating Officer had requested the doctor at AIIMS to give an early date, however, no early date was available.

7. Learned counsel for the petitioner submits that the latest medical report confirms that the petitioner requires surgery. He submits that the petitioner would prefer the surgery to be conducted through a private hospital so that he could recover from the ailment early.

8. Learned counsel for the petitioner submits that the petitioner had earlier also been released on interim bail on 09.03.2018 in Bail Appln. No. 505/2018 for the purposes of appearing in his examinations and thereafter he had duly surrendered in terms of the

said order.

9. Keeping in view of the totality of facts and circumstances of the case and also the fact that petitioner requires surgery and had earlier been released on interim bail and duly surrendered in terms of the said order, I am of the view that the petitioner is entitled to be released on interim bail for a period of three weeks from the date of his release.

10. On petitioner furnishing a bail bond in the sum of Rs.50,000/- with two sureties of the like amount to the satisfaction of the Trial Court, petitioner shall be released on interim bail for a period of three weeks from the date of his release. Petitioner is directed to intimate, to the IO, the date of his admission in hospital and the name and address where he is admitted for his treatment. The petitioner shall surrender to the concerned Superintendent, Jail on expiry of the period of three weeks of his release.

11. The petition is disposed of in the above terms.

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

SANJEEV SACHDEVA, J

JANUARY 22, 2019
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