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

+ **BAIL APPLN. 232/2020**

**MOHD. SIKANDER**

..... Petitioner

Through: Mr Neeraj Kumar, Mr Sajjan Islam,  
Mr Harsh Vardhan Sharma and Mr  
Ratneshwar Das, Advocates.

versus

**STATE**

..... Respondent

Through: Ms Kusum Dhalla, APP for State with  
SI Deepak Mahla, PS Special Cell,  
Delhi Police.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

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**17.02.2020**

1. The petitioner has filed the present petition, *inter alia*, praying for an interim bail in connection with FIR No.0038/2019 under Section 21/29 of the Narcotics, Drugs and Psychotropic Substances Act, 1985 registered with PS Special Cell, Delhi.
2. It is the prosecution's case that the petitioner was apprehended and 10 kg of heroin was recovered from his possession. In addition, 10 kg of heroin was recovered from the co-accused (Mohd. Umar) and further 12 kg of Heroin had been recovered from the stepney of the car (Duster car bearing registration no.DL-8CZ-8112) being used by them. It is also alleged that the petitioner and his co-accused has disclosed that they had received 40 kg of contraband from one Mukinder at Manipur and on the way, they had

delivered 8 kg to one Tasleem @ Mamu of Uttar Pradesh and the balance was to be supplied to the contact of Tasleem in Delhi.

3. The petitioner has sought the interim bail on the ground that his minor son aged about three and a half years, is ailing and requires surgery. A status report had been filed wherein it has been verified from the medical documents received from the District Hospital, Thoubal Management Society, Khangabok, Manipur that the petitioner's minor son was treated for Patent Ductus Arteriosus (PDA) along with ASD (Atrial Septal Defect) and was advised surgery at a higher level hospital as the essential facilities were not available at the said district hospital. The petitioner's family consists of his wife, two minor sons aged three and a half years and one and a half years and his parents.

4. In view of the above, this Court considers it apposite to allow the present petition. The petitioner shall be released on interim bail for a period of four weeks from the date of his release on his submission of a personal bond in the sum of ₹25,000/- with two sureties of an equivalent amount to the satisfaction of the concerned Trial Court. The sureties shall include one surety who is a permanent resident of Delhi. This is also subject to the following conditions:-

- a) The petitioner shall provide a mobile number and ensure that he is reachable on it at all times.
- b) The petitioner shall, immediately upon reaching Thoubal, report to the local police station (PS Kakching).
- c) He shall mark his presence at the said police station on every Monday during the period of his release.
- d) He shall ensure that he shall surrender on or before the expiry of

30 days from the date of his release.

5. The petition is allowed in the aforesaid terms.
6. Order *dasti* under signatures of the Court Master.

**VIBHU BAKHRU, J**

**FEBRUARY 17, 2020**  
**MK**