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

+ BAIL APPL N.909/2020

BHEEMA

..... Petitioner

Through: Mr. Zia Afroz and Ms.Tanya, Advs.

Versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.M.P.Singh, APP.

Mr.Lalit Chauhan, I.O.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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20.05.2020

1. The present application has been taken up for hearing through video conferencing.
2. This is an application filed under Section 439 Cr.P.C. seeking interim bail for 45 days on medical grounds in FIR No. 335/2017 under Sections 307 IPC & Section 27 Arms Act registered at Police Station Timarpur, Delhi.
3. Pursuant to the last order, the status report as also the medical report from jail authorities have been filed from which it is apparent that even though as per the doctors in the jail, the petitioner's general conditions and vitals are stable, however as per the report dated 24.01.2020 issued by Safdarjung Hospital the petitioner was found to be suffering from left side Grade III Hydronephrosis with abrupt loss of opacification of ureter.

4. Learned counsel for the petitioner submits that the petitioner is a young man who is severely unwell but has not received adequate medical treatment in the jail premises despite the aforesaid medical reports. He submits that the petitioner has been in custody since August, 2017, even though he was not named in the FIR and was implicated only pursuant to a disclosure statement made by a co-accused. He urges that the petitioner's regular bail application is pending consideration before this Court, while all his co-accused have been granted bail and, therefore, prays that in view of his medical condition, the petitioner be released on interim bail for a period of six weeks.

5. Even though the bail application is opposed by the learned APP on the ground that the petitioner's present general conditions and vitals were found to be stable in the medical report, keeping in view the report dated 24.01.2020, the petitioner is granted interim bail for four weeks subject to his furnishing a personal bond of Rs.20,000/- to the satisfaction of the Jail Superintendent. The petitioner will not leave the NCR without the prior permission of the learned Trial Court and will not try to contact any of the witnesses or hamper the trial in any manner. The petitioner will also furnish a mobile phone number on which he can be contacted to the Investigating Officer. The aforesaid mobile number will be kept operational at all times. In view of the ongoing nationwide lockdown, the Jail Superintendent is directed to ensure that a vehicle is arranged to drop the applicant at his residence.

6. The order be uploaded on the website forthwith. Copy of the

order be also forwarded to the learned counsel through email.

REKHA PALLI, J

MAY 20, 2020

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