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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 1193/2020 & CRL.M.A. 7445/2020, 7446/2020**  
**YOGESH @GHOGHA** ..... Applicant

Through: Mr. Ravin Rao, Advocate.

versus

**THE STATE** ..... Respondent  
Through: Mr. Hiren Sharma, APP.

**CORAM:**  
**JUSTICE PRATHIBA M. SINGH**

**ORDER**  
% **23.06.2020**

1. This hearing has been held by video-conferencing.
2. The Applicant in the present case seeks interim bail for a period of 2 months on the ground of illness of his wife, who has to undergo surgery.
3. The Applicant has been charged under Sections 323/308/34 IPC and 25/27 of the Arms Act, 1959. He has been in custody since 2<sup>nd</sup> August, 2019. He had earlier sought regular bail which was however withdrawn by him in December, 2019.
4. The case of the Applicant is that his wife, who is aged about 30 years has developed a severe medical condition, because of which she has to undergo surgery. The parents of the Applicant are senior citizens, and have ailments and accordingly it is prayed that he may be given bail. On the last two dates i.e. 10<sup>th</sup> and 12<sup>th</sup> June, 2020, this Court had sought the status report and had also sought further medical reports by the surgeon who was to conduct the surgery. The Applicant has now filed a medical report issued by

Dr. Sadanand at Nanda Hospital, Main Safiabab Road, Near Unik Bazar, Narela, Delhi-40, along with the laboratory reports. On a query to the Id. counsel for the Applicant as to why a new doctor was approached by the Applicant, it is submitted that Dr. Brijesh Singh, who was the earlier surgeon had to travel out of Delhi, and accordingly a new medical record was filed.

5. The said documents of the Applicant's wife have been verified by the IO concerned, who has confirmed that the earlier surgeon was to be Dr. Brijesh Singh. However, now the surgeon is Dr. Sadanand and his report has been verified.

6. The only apprehension on behalf of the State is that the Applicant has various other criminal cases also pending against him. Accordingly, in the facts and circumstances of this case, especially in view of the surgery which the Applicant's wife has to undergo, the Applicant is granted interim bail for a period of 45 days from the date of his release, subject to the following conditions:

- i) That the Applicant shall not leave Delhi;
- ii) That he shall be in touch with the IO through a video call on every alternate day and his active mobile number shall be given to the IO;
- iii) That he shall furnish a personal bond to the tune of Rs.25,000/- to the satisfaction of the Jail Superintendent, Tihar Jail No.1.
- iv) that the Applicant, owing to his past history shall ensure that he does not contact any witnesses or involve himself in any untoward incidents whatsoever.

7. Upon the expiry of the 45-day period, the Applicant shall surrender.

A copy of this order be communicated to the Jail Superintendent, Tihar Jail No.1 for compliance.

8. The bail application and all pending applications are disposed of in the above terms.

**PRATHIBA M. SINGH, J**

**JUNE 23, 2020**

*Rahul*