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

+ **BAIL APPLN. 1783/2020**

RAKESH GUPTA

..... Petitioner

Through: Mr. Rakesh Giri, Advocate.

Versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms. Radhika Kolluru, APP for State
with SI Surender, P.S. Special Cell.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

(VIA VIDEO CONFERENCING)

ORDER

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23.07.2020

1. The present application has been filed under Section 439 read with Section 482 Cr.P.C. seeking interim bail in FIR No. 28/2016 under Sections 18/29/61/85 of the NDPS Act registered at P.S. Special Cell on the ground that the petitioner's son is suffering from hernia and has to undergo surgery for the same on 25.07.2020. A Status Report has been placed on record and the medical documents have been verified. Learned counsel further submits that the petitioner was earlier released on interim bail vide order dated 01.12.2018 on account of marriage of his son, which concession he did not misuse. Learned counsel lastly states that in case the interim bail of the petitioner is considered, the petitioner will stay at his native place i.e. Bareilly, Uttar Pradesh and will be available at his mobile number i.e.

8859262626 which he will keep operational during the period of his release.

2. Ms. Radhika Kolluru, learned APP states that the petitioner's family comprises of his mother, sister and wife who can look after the petitioner's son. It is, however, submitted that the petitioner is not found involved in any other case.

3. In view of the fact and circumstances of the case and the fact that the petitioner is not found involved in any other case and has not misused the concession of interim bail granted to him earlier, the petitioner is admitted to interim bail for a period of 5 weeks from the date of his release, subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent/Duty M.M. and subject to further following conditions :-

1. The petitioner shall remain available on his mobile phone number i.e. 8859262626, which he undertakes to keep operational during the period of his interim bail.
2. The petitioner shall stay at his native place i.e. Bareilly, Uttar Pradesh during the period of his interim bail.
3. The petitioner shall remain in touch with SI Surender, P.S. Special Cell, Delhi on his mobile phone number 7678693838 on every Monday and Friday during the period of his interim bail.
4. The petitioner shall also mark his presence before the SHO/P.S. Baradari, Marwari Ganj, District Bareilly, Uttar Pradesh telephonically on every Monday and Friday during the period of his interim bail period.

5. The petitioner shall not try to get in touch with any of the prosecution witness or tamper with the evidence.
6. The petitioner shall surrender before the concerned Jail Superintendent after expiry of the interim bail period.
4. The application is disposed of in the above terms.
5. A copy of this order be communicated electronically to the concerned Jail Superintendent as well as SHO, P.S. Baradari, Marwari Ganj, District Bareilly, Uttar Pradesh.

MANOJ KUMAR OHRI, J

JULY 23, 2020

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