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

+ **BAIL APPLN. 722/2024**

VINOD SHARMA

..... Petitioner

Through: Mr. Ramesh Kumar, Mr. Sanjeev Rawat, Mr. Yash Preet Singh, Ms. Arooshi Rawat & Mr. Akash Kumar, Advocates.

versus

THE STATE GOVT. OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr. Hemant Mehla, APP for the State with W/SI Ingkumnaro, P.S. Ghazipur.
Mr. Gaurav Sharma, Standing Counsel, DHCLSC, for the

complainant.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

12.03.2024

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1. The present application under Section 439 of the Cr.P.C. seeks interim bail in case FIR No. 101/2023, under Sections 354/354A of the IPC and Section 10 of the POCSO Act, registered at P.S. Ghazipur.
2. The medical status report dated 09.03.2024, authored by Medical Officer-in-Charge, Central Jail No. 12, Mandoli, New Delhi, records as under:

- “1. Above said inmate is presently lodged in CJ-12, Mandoli, Delhi.
2. Inmate / patient is a known case Of Hypertension, diabetes mellitus, coronary artery disease for which, he is being followed-up at GB Pant



hospital in cardiology department. The inmate was referred to GB Pant hospital on dated 24-02-2024 for chest pain and follow-up, where he was admitted on 24-02-2024 and discharged on 26-02-2024. He was advised coronary Angio Bypass grafting (CABG) surgery and fitness from anesthesia department for cardiac surgery.

3. The patient/ inmate was referred to anaesthesia department in GB Pant hospital for fitness of cardiac surgery where the doctor advised investigations for fitness and cardiac surgery.

4. The inmate was referred to GB Pant hospital on 05-03-2024 for investigations and fitness for surgery and to get date on which cardiac surgery will be done.

5. The reports of the investigation are awaited and the inmate will be referred to GB Pant hospital cardiology department once the reports of the investigation are received.

6. The inmate is being provided with medication as advised from GB Pant hospital dated 26-02-2024.

7. At present he is clinically stable and he is being provided with advised medications and salt free diet as per the jail manual.”

3. The aforesaid report reflects that the applicant needs cardiac surgery. It is pointed out that the victim in the present FIR has already been examined.

4. In totality of the facts and circumstances, the present application is allowed. The applicant is directed to be released on interim bail for 1 month from the date of his release on his furnishing a personal bond in the sum of Rs. 50,000/- with one surety of like amount to the satisfaction of learned Trial Court/Link Court further subject to following conditions:

i) The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.

ii) The applicant shall provide his mobile number to the Investigating Officer concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.



iii) The applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with any of the witnesses.

5. On expiry of a period of 1 month as stated above, the applicant shall surrender before the Jail Superintendent.

6. The petition is allowed and disposed of accordingly.

7. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.

8. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

MARCH 12, 2024/bsr