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

+ **BAIL APPLN. 2028/2024**

BABULAL BAWARIYA (IN JC)

..... Petitioner

Through: Mr Tushar Singh, Mr Akhilesh
Yadav, Mr Anil Jha, Ms Akshra
Arshi, Ms Sumrita Das and Ms Jyoti
Sharma, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr Laksh Khanna, APP for the State
with SI Sangeeta, PS S. B. Dairy.
Mr Chirag Verma, Advocate for
complainant.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

07.06.2024

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1. The present bail application has been filed under Section 439 CrPC seeking interim bail on the ground that the wife of the petitioner is suffering from severe mental disease and she is admitted in hospital since 20.05.2024.
2. Learned counsel for the petitioner submits that the younger brother of the petitioner passed away in November, 2023 and the petitioner has two minor children and the parents of the petitioner are old and ailing.
3. Notice in this application was issued *vide* order dated 03.06.2024 with a direction to the State to file a status report.
4. A status report has been handed over today in the Court, the same is taken on record.



5. A perusal of the status report shows that the factum of illness of the petitioner's wife (severe mental condition) has been verified. It has also been verified that she is admitted in hospital at Jaipur from 20.05.2024 for hear treatment and continues to be admitted till date.

6. In view of the above, the petitioner is entitled to interim bail. Accordingly, the petitioner is released on interim bail for a period of four weeks from the date of his release subject to his furnishing a Personal Bond in the sum of Rs.20,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioner shall provide mobile number to the IO 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.
- b) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.
- c) Petitioner shall make call to the Investigating Officer concerned on every Saturday at 11.00 AM apprising him about his whereabouts.
- d) Upon expiry of the period of interim bail, the petitioner shall surrender before the concerned Jail Superintendent.

7. At this stage, the learned counsel for the petitioner submits that he had appeared on the last date before this Court on 03.06.2024, however, his appearance has not been reflected in the said order.

8. The appearance of the learned counsel for the petitioner is not disputed by the learned APP for the State.

9. In view of the above, the appearance of Mr Tushar Singh, learned



counsel for the petitioner shall be read into the order dated 03.06.2024.

10. The application stands disposed of.
11. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
12. Order be uploaded on the website of this Court.
13. Order *dasti* under signatures of the Court Master.

**VIKAS MAHAJAN
(VACATION JUDGE)**

**JUNE 7, 2024
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