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

+ **BAIL APPLN. 2519/2024**

MOHD SABIR RAJA

.....Petitioner

Through: Appearance not given.
versus

STATE

.....Respondent

Through: Ms. Richa Dhawan, Ld. APP for the
State with Insp. M.S. Kamal, SHO
and SI Ved Prakash P.S. Kalindi
Kunj.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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22.07.2024

CRL.M.A. 21073/2024 (Seeking Exemption)

1. Allowed, subject to just exceptions.
2. The application is accordingly disposed of.

BAIL APPLN. 2519/2024

1. A Bail Application under Section 439 Cr.P.C has been filed for grant of interim bail for 30 days.
2. It is submitted in the application that the petitioner was arrested on 02.11.2023. The petitioner's son is suffering from Adeno Tonsillectomy and needs to be treated with utmost urgency. The petitioner is the father and sole earning member of the family, therefore, 45 days interim bail be granted to arrange the money for the surgery.



3. The application is opposed on behalf of the State on the ground that there is the wife of the petitioner who has been taking care of the child. No date of surgery has been fixed. Looking at the nature of the relief sought, no interim bail is narrative.

4. **Submissions heard.**

5. The medical documents show that the child has been taken to Holy Family Hospital from March, 2024 to June, 2024. Earlier also since 2020 the child is being taken to the same Hospital for treatment. It has now been clarified that the wife of the petitioner has been taking the child. There is no date of surgery which has been fixed. Learned ASJ has rejected the bail by observing that the Tonsillitis is a minor operation and there is no urgency of conducting the operation.

6. Apparently, the child has been under the treatment since 2022. No date for surgery has been fixed. There is no ground made up for grant of interim bail, which is hereby dismissed.

NEENA BANSAL KRISHNA, J

JULY 22, 2024/va