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

+ **BAIL APPLN. 4291/2023**

SUNNY@RAKESH

..... Petitioner

Through: Mr. Neeraj Gahlaut and Mr.
Prabhanjan Jha, Advocates

Versus

THE STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr. Manoj Pant, APP for the State
with Inspector P.S. Subzi Mandi

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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02.02.2024

1. The instant application under Section 439 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of the applicant seeking grant of interim bail in case arising out of FIR bearing No. 491/2015 registered at Police Station, Subzi Mandi, Delhi for offences punishable under Sections 307/120B/34 of the Indian Penal Code, ('1860') read with Section 25/27/54/59 Arms Act, 1959.

2. Learned Counsel for the applicant submits that applicant's father who is aged about 67 years has to undergo a surgery for spine decompression with discectomy as early as possible and the date for the surgery is fixed for 10.02.2024. It is submitted that the applicant was granted interim bail earlier vide order dated 10.07.2018 for a period of five days and during the said interim bail period, the applicant has not misused the liberty of bail granted to him. The applicant had surrendered on time after expiry of the term of



interim bail. It is further submitted that the applicant has to arrange money for his father's surgery and that he be released on interim bail for a period of one month.

3. Learned APP appearing on behalf of the state submits that *vide* order dated 12.01.2024 this Court had called for a verification report qua the application seeking grant of interim bail. In this regard, it is submitted that the verification report has been filed on record and as per the report applicant's father has to undergo surgery on 10.02.2024

4. Having gone through the contents of application and having heard arguments addressed by both the parties, and considering the fact that the applicant's father has to undergo surgery for Spine decompression with discectomy on 10.02.2024 at Aadhya 9, Multispeciality Hospital, West Patel Nagar, Delhi, factum of which has been verified by the State as per the status report dated on 22.01.2024, and also taking into account the fact that applicant has earlier remained on interim bail and has not misused the liberty of interim bail so granted, this Court is inclined to grant interim bail to the applicant for a period of one month from date of his release.

5. Accordingly, on applicant furnishing a bail bond in the sum of Rs.25,000- with one surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned, the applicant shall be released on interim bail for a period of one month beginning from 05.02.2024 to 05.03.2024 on the following terms and conditions:

(i). The applicant shall remain available on mobile numbers; shared by him with the Police.

(ii) The applicant shall not directly or indirectly make an attempt to influence the witnesses or tamper with the evidence in any manner.



- (iii) The applicant shall duly surrender before the concerned Superintendent Jail after the expiry of interim bail.
6. It is clarified that no further extension of interim bail shall be granted to the applicant.
7. The application stands disposed of in the above terms.
8. The order be uploaded on the website forthwith.

FEBURARY 02, 2024/ns

SWARANA KANTA SHARMA, J

[Click here to check corrigendum, if any](#)