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

+ **BAIL APPLN. 1108/2025**

ARMAN

.....Petitioner

Through: Mr. Asghar Khan, Ms. Najmi Khan,
Mr. Anubhav Agrawal, Ms. Saba
Khan, Mr. Abdul Tahir Khan, Ms.
Sahar Masroor, Mr. Wasil Khan and
Mr. Rohan Wadhwa, Advocate.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Utkarsh, APP for the State with
SI Arvind, Crime Branch, AEKL
Unit.
Ms. Azra Rehman, Mr. Saif Tanveer
and Mr. Zakir Rehman, Advocates for
Complainant.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

03.04.2025

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1. First Bail Application under Section 439 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'Cr.P.C.'*)/Section 483 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* (*hereinafter referred to as 'B.N.S.S.'*) has been filed on behalf of the Petitioner, Arman for grant of Interim Bail in FIR No. 347/2022 under Section 302/420/511/467/482/201/120B/34 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 25/27 of the Arms Act, registered at Police Station Jamia Nagar (Crime Branch), Delhi.



2. It is asserted that he is suffering from various health ailments and is a chronic patient of Piles and has been advised surgery by the doctors. He is also suffering from Neurological problem and is getting Fits and requires proper medication.
3. The Charges have already been framed against him. He is permanent resident of Delhi and there are no chances of his absconding. He undertakes not to make contact or threaten any witnesses or the persons acquainted with them.
4. A prayer is, therefore, made that he be granted Interim Bail.
5. The Bail Application is contested by the Complainant on whose behalf, it is submitted that the Petitioner is the main accused for the offence of Section 302 IPC. He, as per the Jail Report, is receiving proper treatment in Jail and he is not entitled to Interim Bail, as prayed by him.
6. **Learned APP for the State** submits that the Petitioner is being given proper treatment in the Jail Hospital.
7. **Submissions heard and the record perused.**
8. Medical Report from the Office of the Superintendent of Prisons, has annexed the detailed Medical Report from the Office of Senior Medical Officer, Dispensary, Central Jail No. 05, Tihar Jail, New Delhi-110064 dated 01.04.2025 wherein in detail, the medical complications from which the Petitioner is suffering since his incarceration, has been detailed.
9. On 18.02.2025, it was noted that he had complaints of Bronchial Asthma (since childhood), Seizure disorder since 2020 with last episode in 2022, for which appropriate treatment was being given.
10. On 25.02.2025, the Petitioner was reviewed by Jail visiting medicine specialist for bronchial asthma and seizure disorder on account of complaint



of difficulty in breathing episode of status asthmatics, on examination- chest expansion was found reduced, SpO2-91% on room air, wheezing present. He was kept under observation and given appropriate treatment.

11. The patient has been referred to high centre for further management, MRI brain and review Neurology. On 28.02.2025, he was reviewed with complaints of asthma and two seizure episodes in last one week. He was referred to Department of Neurology at Safdarjung Hospital, on 05.03.2025, with history of having suffered from traumatic brain injury and developing recurrent bouts of seizure from the age of 16 years.

12. On 06.03.2025, the Department of Radiology, Safdrjung Hospital advised him MRI brain instead of CECT brain, which was again reviewed on 10.03.2025 and advised MRI brain.

13. On 01.04.2025, he was reviewed by doctor with complaints of Seizure disorder and bleeding per rectum and constipation for which he has been given appropriate treatment.

14. It has been concluded that the Petitioner suffers from multiple health issues and has reported to Jail Dispensary multiple times in recent past, with three episodes of seizure and has been kept under observation. He has been advised to be referred to Higher Centre in emergency, if further episodes occur.

15. Considering the detailed Medical Report and his medical condition, he is granted Interim bail for a period of 30 days from the date of his release upon his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount, to the satisfaction of the learned Trial Court, and further subject to the following conditions:-

a) The Applicant shall not leave Delhi/NCR without prior



permission of the Court;

- b) The Applicant shall provide his mobile number and also the mobile number of his wife/surety to the IO concerned, both of which shall be kept in working condition at all times and he shall not change the mobile numbers without prior intimation to the Investigating Officer concerned;
- c) The Applicant shall inform the IO the address where he shall be available in Delhi.
- d) The Applicant shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.
- e) The Applicant shall not stay near the complainant and shall not threaten the complainant and the other witnesses in any manner.
- f) Upon expiry of period of one month, as stated above, the applicant shall surrender before the concerned Jail Superintendent.

16. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

APRIL 3, 2025/RS