



\$~2

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

+ **BAIL APPLN. 2602/2025**

SACHIN RAI

.....Petitioner

Through: Ms. Dolly Sharma, Adv.

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Aman Usman, APP

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **11.08.2025**

1. This is an application for the grant of interim bail under Section 483 of BNSS (Section 439 Cr.P.C) read with Section 528 BNSS, 2023 (Section 482 Cr.P.C.) on behalf of the applicant praying for grant of interim bail for a period of 60 days in case FIR no. 209/2022, PS Naraina under Section 302/34 IPC.
2. The Ld. Counsel appearing for the applicant submits that applicant is suffering from chronic neurological medical conditions namely Epilepsy (seizures disorder) along with severe headache (migraine) and a very high BP which requires constant monitoring, timely administration of anti-epileptic medications and access to emergency medical care in case of seizure episodes, which is not possible while staying in jail.
3. The Ld. Counsel further submits that the doctor at GB Pant Hospital has advised MRI Brain in order to find out the cause of seizure disorder but due to long waiting in the government hospital, the same is scheduled for



15.07.2026. It is thus submitted that without knowing the cause of seizures disorder, prompt treatment may not be possible and any further delay may cause complications endangering the life of the applicant.

4. It is argued that due to lack of adequate medical facilities and supervision in jail the applicant's health has been under severe threat due to lack of proper, timely and adequate medical treatment and any delay in the treatment may result in irreversible neurological damage.

5. Bail application has been opposed by Ld. APP submitting that the bail application of the co-accused has been recently dismissed by this court and that applicant is having the same role as that of the co-accused and further that the trial is at a crucial stage as some of the public witnesses are yet to be examined.

6. The Ld. APP further submits that applicant is getting satisfactory treatment at the jail/referral hospital. He says that the applicant may get the MRI conducted at his own expense at a clinic of his choice while staying in judicial custody, instead of granting interim bail for the said purpose.

7. In rebuttal, the Ld. Counsel for petitioner submits that the role of the present applicant is different from the role of the co-accused whose bail application has been dismissed. She further submits that applicant is not at flight risk and requires immediate treatment under the supervision of his family members.

8. The report of the Chief Medical Officer, Central Jail, Tihar confirms that applicant is suffering from seizures disorders/episodic migraine/young hypertension/GTCS. The report further confirms that despite the treatment being provided, the patient is not showing resolution of symptoms. He is also suffering from migraine, phonotype headache with history of medical



episodes of seizure in recent past for which the applicant requires round the clock monitoring and care. The report further states that the applicant has reported multiple times in the recent past in the jail dispensary in emergency as well as OPD for the above mentioned persisting complaints and he was also referred to DDU Hospital on emergency basis and for further management. As per report applicant has been advised MRI Brain with epilepsy protocol in view of the recurrent episodes of seizure but the same has been scheduled for 15.07.2026.

9. The report indicates that applicant has suffered seizure episodes multiple times in the recent past while he has been in jail.

10. Since MRI has been scheduled almost after one year and considering the medical status of the applicant as confirmed by the Chief Medical Officer of the jail, the present application is allowed. The applicant is directed to be released on interim bail for a period of 60 days from the date of his release on furnishing of a personal bond in the sum of Rs. 50,000/- with a surety of like amount subject to the following conditions:

- a. The applicant shall not try to contact any of the prosecution witness connected with the present case while being on interim bail.
- b. Upon being released, the applicant shall share his mobile number with the Investigating Officer and shall keep the mobile number operational throughout.
- c. The applicant shall intimate the trial court by way of an affidavit and to the Investigating Officer regarding any change of his residential address.
- d. The applicant shall surrender before the trial court on



completion of the period of interim bail.

- e. Consequent upon surrender the applicant shall place a copy of his medical record with the Jail Superintendent so that necessary follow up and treatment may be continued at jail.

11. Copy of this order be sent to Superintendent Jail for information and necessary compliance.
12. Application accordingly stands disposed of.

RAVINDER DUDEJA, J

AUGUST 11, 2025/lks/sk