

mohd.anas vs.state

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SooperKanoon Citation : sooperkanoon.com/1204127

Court : Delhi

Decided On : Nov-08-2016

Appellant : mohd.anas

Respondent : State

Judgement :

\$~2 * IN THE HIGH COURT OF DELHI AT NEW DELHI + DECIDED ON :
NOVEMBER08 2016 BAIL APPLN.1126/2016 MOHD.ANAS

... Petitioner

Through : Mr.Waseem Ahmed, Advocate. STATE versus Respondent
CORAM: HON'BLE MR. JUSTICE S.P.GARG Through : Ms.Meenakshi Dahiya,
APP. SI Rajiv Kumar, PS Welcome. S.P.GARG, J.

(ORAL) 1. The petitioner seeks interim bail in case FIR No.345/2013 under
Section 302/120-B IPC registered at Police Station Welcome on medical grounds
for three months. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. The
petitioner is in custody since 5.3.2014. He is facing trial under Section 302 IPC
along with Danish and Nadeem for allegedly committing murder of his step
mother. Upon completion of investigation, charge-sheet has since been filed. Main
allegations are against accused Danish and Nadeem. Bail Appl.1126/2016 Page 1
of 2 3. During the course of arguments it was informed that earlier Danish was

granted interim bail but he did not surrender in time. It is informed that Danish has since surrendered on 28.05.2016.

4. On perusal of medical report received from Central Jail, Tihar, it reveals that the petitioner is suffering from various ailments and is getting treatment at Safdarjung Hospital. It further records that the petitioner has complaint of on and off respiratory distress associated with chest pain and pain in back side of neck, weakness on right of body, decreased sensation of urine, poor flow of urine, pain in right side of knee joint and dizziness. It further records that ailments are progressive in nature despite of regular medications and improvement is not satisfactory. The petitioner has been advised physiotherapy from Safdarjung Hospital but it could not be provided at Central jail due to its non-availability.

5. Considering the medical condition of the petitioner, he is granted interim bail for two months from the date of his release on his furnishing personal bond in the sum of `50,000/- with one surety in the like amount to the satisfaction of the trial court. The petitioner shall surrender before the concerned Jail Superintendent on the expiry of period of interim bail 6. The bail application stands disposed of. (S.P.GARG) JUDGE NOVEMBER08 2016 sa Bail Appl.1126/2016 Page 2 of 2