

BAIL APPLICATION

FIR No. : 10/2016
PS : Rajinder Nagar
State Vs. Ajay Giri
U/s : 302 IPC

19.06.2020

Through video conferencing
This is an application seeking interim bail for 45 days.

Present: Sh. Alok Saxena, Ld. Addl. PP for the State
Ms Dolly Sharma, Ld. Counsel for accused/applicant.

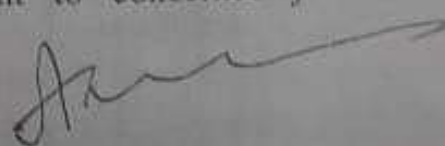
Arguments heard. It is submitted by Ld. Counsel that accused is seeking interim bail on the ground that his mother is a senior citizen, facing financial difficulties and cannot care of herself because of current pandemic as she is at higher risk of catching the infection. It is argued that accused deserves to be granted interim bail in the facts and circumstances of present case.

The report from concerned jail superintendent has been received which reveals that accused is involved in two other cases i.e. FIR no. 221/2016 PS Rajender Nagar and FIR NO 161/2014 apart from present case. Therefore, it is clear that accused does not fulfill the criteria as laid down by high power committee vide minutes dated 18.05.2020.

The reasons cited by accused for grant of interim bail does not disclose good grounds to be entertained as the very incarceration of an accused not only curtails his 'personal liberty' but also certain other rights like 'right to maintain and take care of one's family'. Even otherwise, the accused is in custody since May, 2016, therefore, it is evident that his mother is maintaining herself at her own (since long) even in the absence of accused.

In these circumstances, I am not inclined to grant bail to accused. Hence, bail application of accused Ajay Giri is dismissed.

Copy of the order be given dasti to Ld. Counsel for accused and another copy of order be sent to concerned jail superintendent for information.


(Anuj Agrawal)
ASJ-03/Central/THC

19.06.2020
BAIL APPLICATION

FIR No. : 423/2015
PS : Prasad Nagar
State Vs. Rohan
U/s : 302/201/34 IPC

19.06.2020

Through video conferencing

Present: Sh. Alok Saxena, Ld. Additional PP for the State
Sh. Chirag Madaan, Ld. Counsel for
applicant/accused.

It is submitted by Ld. Counsel for applicant/accused that he is restricting his prayer for grant of interim bail on the ground that the case of accused falls within guidelines as laid down by high power committee. It is further argued that accused is in custody since last five years and all the witnesses except IO have already been examined and therefore accused may be granted interim bail in the facts and circumstances of instant case.

Heard. Considered.

The report of IO as well as Jail superintendent perused.

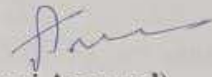
As per the report received from jail, the conduct of accused at jail is unsatisfactory. He has been awarded punishment on two occasions; once for keeping prohibited article i.e. Indian currency and thereafter for keeping surgical blade and misbehaving with jail staff.

Therefore, in these circumstances, it is clear that case of accused does not fall within the criteria as laid down by high power committee vide minutes dated 18.05.2020. Mere long custody or trial being at fag end cannot not be good grounds for releasing accused on interim bail in view of gravity of the offence.

In these circumstances, **interim bail of accused Rohan is dismissed.**

Copy of the order be given dasti to Ld. Counsel for accused/applicant. Another copy of order be sent to concerned jail

superintendent for information.



(Anuj Agrawal)
ASJ-03/Central/THC
19.06.2020