

Through Video Conference via CISCO WebEx

Reg. No. by AO(J) (South) : 402/20

FIR No.464/19

PS- Mehrauli

State Vs. Rahul

U/Sec. 302/34 IPC and Sec. 25/27 Arms Act

23.05.2020

**Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Ms. Deepa Rawat, Ld. Legal Aid Counsel for the accused/applicant.**

This application has been moved with averments that the accused/applicant Rahul is in judicial custody since 03.08.2019 and has completed six months in the jail. It is stated that the accused is facing trial for the offence punishable under Section 307 IPC and his case falls in the categories recommended for interim bail to prevent the spread of COVID -19 contagion in the jails, by the Hon'ble High Powered Committee vide Minutes of Meeting dated 18.05.2020.

A report regarding satisfactory conduct of accused/applicant has been received from the Jail Superintendent.

Report has been received from the IO also. IO mentions in his report that a FIR was registered against the accused/applicant under Section 307 IPC however injured died later on and charge sheet was thus filed for the offence punishable under Section 302 IPC.

A handwritten signature in black ink, consisting of a large loop followed by a vertical line and a small flourish.

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In view of aforesaid report of the IO, case of the accused/applicant is not covered in the categories recommended for bail by the Hon'ble High Powered Committee vide Minutes of Meeting dated 18.05.2020. Hon'ble High Powered Committee has recommended that a UTP facing trial for the offence punishable under Section 302 IPC may be considered for interim bail if he has been in custody for a period of more than 2 years. Accused/applicant has been in custody for 9.5 months only. No other ground for grant of bail is specified in the application. Allegations against the accused are grievous in nature.

The bail application is dismissed for aforesaid reasons and stands disposed off.

Copy of the order be sent to the Jail Superintendent for intimation and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Legal Aid Counsel for the accused/applicant through email.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts

23.05.2020

Through Video Conference Via CISCO WebEx

Reg. No. by AO (J) (South):403/2020

FIR No. 132/18

PS: Ambedkar Nagar

State Vs. Suraj Yadav

U/s 302/34 IPC & 25/27 Arms Act

23.05.2020

Present: Ms. Anupma Singh, Ld. Addl. Public Prosecutor for the State.
Ms. Deepa Rawat, Ld. Legal Aid Counsel for the Accused/Applicant

The instant bail application has been forwarded by Delhi State Legal Services Authority on behalf of the accused/applicant with averment that accused/applicant is in custody since 28.03.2018 and is entitled for bail in view of the recommendations made by the Hon'ble High Powered Committee vide minutes of meeting dated 18.05.2020.

Report has been received from the IO, according to which accused/applicant has no previous involvement / criminal antecedents. Case is pending trial at the stage of PE.

A Character Certificate of the accused/applicant has been received from the Jail Superintendent, according to which no punishment was found against the accused during his jail tenure and his jail conduct is satisfactory.

The bail application has been opposed by the Ld. Addln. PP for the State on the ground that offence is heinous in nature, accused may jump the bail and may threaten the witnesses.

I have considered the rival contentions. Record perused.

Considering that the accused/applicant is in judicial custody for more than two years & is facing trial for the offence punishable under Section 302 IPC, his jail conduct is satisfactory, he has no criminal antecedents and in view of the recommendations made by the Hon'ble High Powered Committee vide minutes of meeting dated 18.05.2020



wherein interim bail has been recommended for the UTPs who are in custody for more than two years & are facing trial for the offence punishable under Section 302 IPC, the accused/applicant Suraj Yadav S/o Late Sh. Kailash is admitted to interim bail for a period of 45 (forty five) days, on furnishing of personal bond in the sum of Rs.50,000/- (Rs. Fifty Thousand only) to the satisfaction of the concerned Jail Superintendent, subject to the conditions that:

- (i) the accused/applicant shall attend the Court in accordance with the conditions of the bond executed;
- (ii) the accused/applicant shall not tamper with the evidence or induce, threaten, coerce or influence the witnesses;
- (iii) The accused/applicant shall not commit an offence similar to the offence of which he is accused of;
- (iv) The accused shall specify his mobile number that he shall be using, and address on which he shall be residing, during the period of interim bail, in the bail bond.

The accused/applicant is directed to surrender before the jail authority, Tihar Jail, New Delhi after expiry of the period of interim bail. The application is disposed off accordingly.

A copy of this Order be sent to Jail Superintendent, Tihar, New Delhi and be also uploaded on the Web Site of District Court. A copy of this order be further supplied to Ld. Counsel for the accused/applicant through e-mail.



(Jyoti Kler)

ASJ on Duty/South District/Saket Courts
New Delhi/23.05.2020