

FIR No: 46/2020

U/s 307 IPC

PS: Darya Ganj

State Vs. Mohd. Yusuf S/o Mohd. Ismail, aged 59 years

24.09.2020

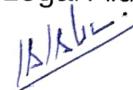
This is application for grant of interim bail filed on behalf of the accused Mohd. Yusuf.

**Through Video Conferencing**

Present: Sh. G.S. Guraya, Ld. APP for the State.  
Sh. Manish Sharma, Ld. Legal Aid Counsel for the accused.

**ORDER**

1. This is an application for interim bail for 45 days in respect of the accused, namely, Mohd. Yusuf (Hereinafter referred to as '**the applicant**').
2. The applicant is in judicial custody since 11.03.2020. He is not involved in any other case. His jail conduct is certified as satisfactory. He is covered under guidelines dated 18.05.2020.
3. Accordingly, the application for interim bail for 45 days in respect of the accused, namely, Mohd. Yusuf is allowed.
4. The accused, namely, Mohd. Yusuf is admitted to interim bail for 45 days from the date of his release.
5. The concerned Jail Superintendent is directed to release the applicant Mohd. Yusuf on furnishing personal bond in the sum of Rs. 10,000/- to the satisfaction.
6. A copy of order be sent to concerned Jail Superintendent for appropriate action at his end.
7. A copy of order be given dasti to Ld. Legal Aid Counsel, if prayed.

  
Sanjay Sharma-II  
Link Judge, ASJ-03, Central District  
Tis Hazari Courts, Delhi  
24.09.2020

FIR No:408/16  
U/s 302/34 IPC  
PS: Darya Ganj  
State Vs. Md. Amir @ Aryan S/o Abdul Rashid

24.09.2020

Through Video Conferencing

Present: Sh. G.S. Guraya, Ld. APP for the State.  
Sh. T.D. Tiwari, Advocate for the accused.

ORDER

1. This is an application U/s 439 of '*The Code of Criminal Procedure, 1973*' (Hereinafter referred to as '**the Code**') for seeking regular bail in respect of the accused, namely, Mohd. Amir Khan @ Aryan (Hereinafter referred to as '**the applicant**').

2. Ld. Counsel for the applicant submitted that the applicant is in judicial custody since 11.12.2016. He submitted that main witness of the prosecution, namely, **PW7** Saira Banu has not supported the case of the prosecution. He submitted that the applicant is around 22 years old. He submitted that the applicant is not convicted in any case. He submitted that co-accused Naseem @ Kaka already released on bail.

3. Ld. Addl. PP for the State opposed bail application on the ground that the applicant was involved in case FIR No. 184/2016, U/s 379/411 IPC at PS NDLS (Railways). He submitted that the applicant was convicted in the said case for 4 months simple imprisonment *vide* order dated 10.01.2018. He submitted that the applicant was also found involved in keeping prohibited article in Court lock-up. He submitted that jail conduct of the applicant is unsatisfactory. He submitted that the co-accused was granted interim bail in view of his jail conduct and non-involvement in any criminal case. He submitted that the applicant is accused of committing murder by slitting throat of the deceased.

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4. As regards contention that main witness has not supported the case of the prosecution, it can be stated that at the stage of consideration of bail, the Court cannot evaluate the evidence on its file. The Court cannot embark upon an analysis of the evidence on its file. The applicant is accused of committing a serious offence of murder by slitting throat of the deceased. The applicant is not entitled to seek regular bail.

5. The co-accused Naseem @ Kaka is on interim bail in view of guidelines of High Powered Committee. The applicant is also not covered under the guidelines of High Powered Committee as he is already convicted in a case, as stated above and his jail conduct is unsatisfactory.

6. Accordingly, the application U/s 439 of the Code for seeking regular bail in respect of the applicant, namely, Md. Amir @ Aryan S/o Abdul Rashid is dismissed. A copy of the order be uploaded on website of the Court. A copy be also given *dasti* to Ld. Counsel for applicant, if prayed. A copy of order be sent to concerned Jail Superintendent, Central Jail No. 4, Tihar, New Delhi for onward transmission to the applicant.

  
Sanjay Sharma-II  
ASJ-03, Central District  
Tis Hazari Courts, Delhi  
24.09.2020