

FIR No. 666/16
State Vs. Mohd. Kasim etc.
PS : Sarai Rohilla

14.01.2019

Present: Sh. Zafar Hussain, father of accused Shahadat Hussain.

Sh. Wasi-Ur-Rehman, Addl. PP for State.

Counsel for accused-applicant has not come present despite wait.

Heard.

B. A. No. 13/19 of Shahadat Hussain accused.

Today, father of accused has submitted certificate issued by President of Gram Panchayat, Siroli, Bareilly to the effect that as per Muslim rites, *chalisva* in respect of deceased Liyakat Hussain, who is brother of accused-applicant, is to be performed.

Learned Addl. PP submits that as per Mohammadan Law, there is no such ritual/ ceremony performed in respect of any deceased.

Liyakat Hussain is said to have been left world on 19.12.2018. This fact has already been verified by the police vide report dated 10.01.2019. copy of death certificate has also been submitted.

Case is coming up on 17.01.2019 of prosecution evidence.

Keeping in view that real brother of accused-applicant has left this world and as per certificate issued by responsible person of Gram Panchayat such ritual is to be performed on 28.01.2019, **accused-applicant Shahadat Hussain is allowed interim bail for three days i.e. for the period from 27.01.2019 to 29.01.2019, on his furnishing personal bond and two surety bonds in the sum of Rs.50,000/- and subject to the conditions that accused-applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the present case, so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence. Accused-applicant Shahadat Hussain to surrender before this Court on 30.01.2019 at 10 am.**

Bail application stands disposed of.

(Narinder Kumar)
Special Judge-2:NDPS Act(Central)
Tis Hazari Court:Delhi
14.01.2019