

SC no. 727/21
FIR no. 397/20
PS Laxmi Nagar
U/s 307 IPC

State Vs. Suraj Yadav @ Kallu

19.11.2022

File is taken up today on an application under Section 439 Cr. PC moved on behalf of applicant/accused Suraj Yadav @ Kallu for grant of regular bail.

Present: Sh. A. K. Srivastava, Ld. Ld. Substitute PP for the State.
Sh. B. K. Pandey, Ld. counsel for the applicant/accused Suraj Yadav @ Kallu.

Arguments heard on the bail application.

Record perused.

Ld. Counsel for the applicant has submitted that applicant has been languishing in JC since 15.07.2022 and applicant is only earning member in his family and belongs to poor family. It is further submitted that this is the third bail application. Last bail application of the applicant was dismissed on 15.07.2022. It is further submitted that no purpose would be served by keeping him in jail. Ld. Counsel further prays for grant of regular bail to the applicant/accused.

On the other hand, bail application has been vehemently opposed by Ld. Substitute PP for the State arguing that allegations against the applicant are serious in nature and he is involved in a heinous crime.

In brief the case of the prosecution is that on 28.08.2020 at about 4.30 PM near SDM office applicant gave knife blows on the neck and other parts of the body of Gulbahar.

On perusal of record reveals that matter is at initial stage and there is no change of circumstance after dismissal of last bail application. Statement of material witness is yet to be recorded. Applicant is in the habit of filing bail application again and again without changing any circumstance. If the applicant is admitted on bail at this stage, there is every possibility that he may temper with prosecution evidence. The allegations against the applicant are grave and serious in nature.

Keeping in view the totality of facts and circumstances of the case as well as previous conduct of the applicant that he did not surrender after expiry of period of interim bail, no ground is made out for the indulgence of this court at this stage.

Bail application accordingly stands dismissed.

(Deepak Jagotra)
Principal District & Sessions Judge
East District
Karkardooma Courts, Delhi
19.11.2022