

IA No. 1/2022
SC No. 44792/2015
State Vs. Babloo
FIR No. 70/2005
PS: New Usmanpur
U/s: 458/395/380/411 IPC

19.09.2022

Present: Sh. Praveen Yadav, Ld. Legal Aid Counsel for the applicant/accused Babloo.
Sh. Sukhbeer Singh, Ld. Addl. PP for the State alongwith IO/ASI Rakesh Kumar.

1. The matter is fixed for hearing arguments on the application for grant of bail filed by this applicant/accused Babloo.

2. The IO has filed reply alongwith the previous conviction/involvement report. Copies thereof have been supplied to Ld. Legal Aid Counsel.

3. I have heard the Ld. Counsels for the parties.

4. Ld. Legal Aid Counsel for the applicant/accused has submitted that since accused had changed his address and he was not aware about the date of hearing, so, earlier B/W were issued against him on dated 30.11.2021 and thereafter, NBWs were also issued against this accused on dated 14.01.2022 and submitted that since dated 18.07.2022, this accused is behind bars and prayed for granting bail to him.

5. On the other hand, Ld. Addl. PP for the State has vehemently opposed the present application for grant of bail and submitted that since, this accused had absented in the court and

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NBWs were issued against him and thereafter, proclamation u/s. 82 of CrPC was also issued against him and prior to declare him Proclaimed Offender, he was produced before the court by his surety and submitted that since this accused is absenting from the proceedings in the present case and the matter is fixed for 09.12.2022 and prayed for dismissal of his application.

6. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

7. The perusal of the record reveals that since, this accused was absenting from the proceedings in the present case and even warrants of arrest could not be executed, so, proclamation u/s. 82 of CrPC was issued against him and prior to declare Proclaimed Offender to this accused, he was produced before the court by his surety and since, this accused was regularly absenting from the proceedings in the present case and delaying the proceedings, so, taking into consideration the previous conduct of this accused, he does not deserve the concession of bail. Accordingly, **the application for grant of bail filed by this applicant/accused Babloo is dismissed.** Copy of order be provided to the parties, as Dasti.

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/19.09.2022