

SC No.71/2024
State Vs. Aarif @ Bihari
FIR no.595/2023
PS Bhajanpura
u/sec. 392/411/34

27.09.2024

File is taken up today on an application for bail moved on behalf of applicant/accused Aarif @ Bihari.

Present: Sh. Ajit Kumar Srivastava, Chief PP for the State.
Sh. S. G. Goswami, Advocate for applicant/accused
Aarif @ Bihari through video conferencing.

1. Vide this order, I shall dispose of the bail application filed on behalf of accused Aarif @ Bihari.
2. Arguments on bail application of accused heard from learned Chief Public Prosecutor for the State and Sh. S. G. Goswami, Advocate for the accused.
3. The case of prosecution in brief is that on 29.11.2023 at about 6:45 PM at Tikona Park, Gamri Road, Delhi, accused along with co-accused Shahbaz (not arrested) in furtherance of their common intention robbed a purse containing Rs.2,000/-, coins of total Rs.6/- and an Aadhaar Card from the possession of the complainant Vedpal at the point of knife. It is also the case of prosecution that accused was found in possession of the aforesaid robbed articles of the complainant. Charge for offences under Sections 392/34 read with Section 397 IPC and under Section 411 IPC was framed against the accused vide order dated 02.05.2024.
4. Learned counsel for the accused submitted that the public witnesses have already been examined and the remaining witnesses are police officials, who remained associated with the investigation of this

case. He further submitted that the accused is the sole bread earner in his family and has been falsely implicated in the present case. It is stated that the accused is in judicial custody since 29.11.2023. He stated that accused is on bail in other cases.

5. Learned Chief Public Prosecutor for the State opposed the bail application stating that the accused is facing trial for grave offences. He pointed out that the material on record prima facie shows that the accused robbed the complainant of his above mentioned belongings. He stated that accused is involved in other cases also.

6. Vide order dated 02.05.2024, charge for offences under Sections 392/34 read with Section 397 IPC and under Section 411 IPC was framed against the accused. Accused is in judicial custody since 30.11.2023. Prosecution has cited eight witnesses in the list and out of these four witnesses have been examined including complainant Vedpal (PW1) and his brother Suraj (PW2).

7. In the facts and circumstances of this case, applicant/accused Aarif @ Bihari is admitted to bail on furnishing personal bond for a sum of Rs.20,000/- with one surety of the like amount. The accused will report to the concerned SHO fortnightly at 5:00 PM. Accused will not influence and contact the prosecution witnesses.

8. Application stands disposed of.

9. Copy of the order be send to the concerned Jail Superintendent.

(SARITA BIRBAL)
Principal District & Sessions Judge/N-E/
Karkardooma Courts/Delhi/27.09.2024