

SC no.111/2024
State Vs. Suraj
FIR No.147/2024
PS: New Usmanpur
u/Sec.392/397/34 IPC

22.08.2024

Present: Sh. Sunil Dutt, Addl. P. P (substitute) for the State.
Sh. Virender Kumar, Advocate for applicant/accused
Suraj through video confrencing.

Arguments on bail application heard on behalf of the
accused.

Vide separate order, the bail application of accused
Suraj is allowed.

Put up on date already fixed i.e. 28.08.2024.

(SARITA BIRBAL)
Principal District & Sessions Judge
North-East, Karkardooma Courts,
Delhi/22.08.2024

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ORDER

1. This is an application under Section 439 Cr.P.C moved on behalf of applicant/accused Suraj for grant of bail.
2. Arguments on bail application of accused Suraj heard.
3. The case of prosecution is that the complainant had hired an auto rickshaw of the accused from ISBT, Anand Vihar to Burari exclusively for herself. It is alleged that after some distance, the accused allowed co-accused (not arrested) to sit in that auto rickshaw despite opposition by the complainant and the co-accused sat with the accused. It is alleged that at some deserted place near Signature Bridge, the accused stopped the auto rickshaw and co-accused came to the complainant and robbed her on the point of knife.
4. Learned counsel for the accused has submitted that the accused is an innocent person and he is working as a driver of an auto rickshaw. It is also submitted that the accused is not previously involved in any case. It is submitted that there is no allegation of commission of offence under Section 397 against the accused and no recovery has been effected from his possession. It is also submitted that the accused is a poor person and he has to support his family.
5. Learned Chief Public Prosecutor for the State has opposed

the bail application stating that the accused has committed serious offence along with co-accused, who has not been arrested.

6. The accused is in judicial custody since 01.03.2024. There is no recovery of alleged robbed articles or the weapon of offence from the possession of the accused.

7. In view of above, accused Suraj is admitted to bail on furnishing personal bond for a sum of Rs.25,000/- with one surety of the like amount. He is directed to appear regularly before this Court and will not influence prosecution witnesses in any manner.

8. Application stands disposed of.

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

(SARITA BIRBAL)
Principal District & Sessions Judge
North-East, Karkardooma Courts,
Delhi/22.08.2024