

SC No. 294/2022
State Vs. Saif Ali @ Sibbu & Anr.
FIR No. 443/2022
PS: Bhajanpura
U/s: 302/307/34 of IPC &
Sec. 25/27/54/59 of Arms Act

21.10.2023

Present: Sh. Ashok Kumar Tiwari, Ld. Counsel for the applicant/accused Saif Ali.
Sh. Parveen Kumar, Ld. substituted Addl. PP for State.

1. Sh. Ashok Kumar Tiwari, Ld. Counsel has filed an application on behalf of the applicant/accused Saif Ali for grant of interim bail for 15 days, in view of demise of his grand mother on dated 20.10.2023. Copy thereof has been supplied to the Ld. substituted Addl. PP for State.

2. I have heard the Ld. Counsel for the parties.

3. Sh. Ashok Kumar Tiwari, Ld. Counsel for the applicant/accused Saif Ali has submitted that the grand mother of this applicant/accused has expired yesterday and this applicant/accused was having attachment with his grand mother and on the humanitarian ground, interim bail for 15days may be granted to this applicant/accused.

4. On the other hand, Sh. Parveen Kumar, Ld. substituted Addl. PP for the State has vehemently opposed this application and submitted that since, this applicant/accused is involved in the heinous offence of murder and attempt to murder and charges u/s. 302/307/34 of IPC and Sec. 27 of Arms Act have been framed

against this applicant/accused and submitted that other family members must be there in the family and this fact is also admitted by the Ld. Counsel for the applicant/accused and submitted that this accused may temper with the prosecution evidence, so, he does not deserve the concession of bail and prayed for dismissal of the said application.

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

6. The perusal of the record reveals that in the case in hand, this applicant/accused alongwith the co-accused is alleged to have committed the heinous offence of murder and attempt to murder and charges u/s. 302/307/34 of IPC and Sec. 27 of Arms Act have been framed against this applicant/accused and public witnesses are yet to be examined and the likelihood of tempering with the prosecution witnesses cannot be ruled out, so, this applicant/accused does not deserve the concession of interim bail. Therefore, **application for grant of interim bail for 15 days filed by the applicant/accused Saif Ali is dismissed.** Dasti copy of this order be provided to the parties. **Attested copy of this order be also sent to the Superintendent of Central Jail, Tihar for supplying the same to the applicant/accused Saif Ali.**

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/21.10.2023