

IA. 2/24 in SC No. 58564/2016
STATE Vs. Robin @ Rohit @ Babloo
FIR No. 408/15
P.S. KNK Marg
U/s 302/201/364/120B IPC & 25/27/54/59 Arms Act

29.05.2024

This is an application under Section 439 Cr.P.C for grant of interim bail moved on behalf of the applicant/accused Robin @ Rohit @ Babloo.

Present: Mr. Nishant Kumar, Ld. Additional PP for the State.

Ms. Swati Rathi, Ld. Counsel for applicant/accused.

1. Ld. Counsel for applicant/accused has argued that the present application is seeking interim bail of the applicant on the medical ground as he is suffering from hemorrhage/injury and the paralysis of his left side of the body. It is submitted that applicant/accused will not flout any terms and conditions, if so imposed. It is prayed that a lenient view be taken on humanitarian ground.

2. Ld. Addl. PP for the State has strongly opposed the bail application stating that applicant/accused should not be granted bail owing to the gravity of the offence and the active role played by the applicant in the commission of the crime.

3. I have heard the submissions made by the Ld. Addl. PP for the State and Ld. counsel for the applicant/accused.

4. Medical status report received from the concerned Jail Superintendent. As per report of the Medical Officer Incharge, accused is

suffering from facial palsy and immobility on his left side. The accused has been under treatment lastly on 18.05.2024, it is reported that at about 05:00 pm, accused was rushed to DDU Hospital in Emergency on his complaint of weakness of his left side. It is argued by the Ld. Counsel for the applicant that opportunity be granted to the applicant/accused for getting a better private treatment done as his condition is deteriorating.

5. Seeing the facts and circumstances, in view of the verification report and submissions made, taking a lenient view on humanitarian ground, **applicant/accused Robin @ Rohit @ Babloo is granted interim bail for 30 days from the date of release on furnishing of bail bond for a sum of Rs. 10,000/- with one surety of the like amount, to the satisfaction of the Court/Duty MM/Area MM** and subject to the following conditions:

- (a) The applicant/accused shall not try to contact or influence the witnesses in any manner, directly or indirectly.
- (b) The accused shall not indulge into similar offence in the event of release on bail.
- (c) The accused shall not tamper with the evidence.
- (d) The accused shall provide his mobile number to the concerned SHO, on which he may be contacted, if required as per law and shall ensure that the said number be kept active and switched on all the time.
- (e) The accused shall not leave the State without prior permission of the Court.
- (f) The accused shall surrender himself before the concerned Jail Authorities after expiry the period of interim bail.

Application is disposed off accordingly.

6. ***It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.***

7. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules, by the court staff.

(Shefali Sharma)
ASJ-02/North District
Rohini Courts/Delhi/29.05.2024