

IA No. 23/2023 in SC 383/2018
STATE Vs/ Sunil Dutt @ Anne @ Bhaji
FIR No. 133/2018
P.S. Narela
U/s 302/307/201/120B/34 IPC &
25/27 Arms Act

11.10.2023

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

Present: Mr. Harvinder Kumar Nar, Ld. Addl. PP for the State.
Mr. V.K. Gupta, Ld. Counsel for the applicant/accused.

1. Ld. Counsel for applicant/accused has argued that he is seeking interim bail of the applicant on the medical grounds of his father as as well on the ground of performing last rituals of his mother. It is further submitted that applicant/accused will not flout any terms and conditions, if so imposed. It is prayed that a lenient view be taken.

2. Ld. Addl. PP for the State has strongly opposed the interim bail application stating that applicant/accused should not be granted interim bail owing to the gravity of the offence.

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

4. As regards the medical treatment papers of the father of the applicant/accused, it is submitted by the IO that same have been deposited with the concerned M.V. Hospital but sometime is required to verify the same, although, the factum of last rituals of the mother of the applicant has been duly verified which is scheduled on 14.10.2023. It is submitted that younger brother of the applicant is disabled and there is no one who perform the last rituals of the mother of the applicant.

5. Taking a lenient view on humanitarian ground, **applicant/accused Rakesh Dixit @ Bhaji is granted interim bail for a period of 15 days from the date of release on furnishing of bail bond for a sum of Rs. 25,000/- with one surety of the like amount, to the satisfaction of the Court/Duty MM/Area MM** but 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 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)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
11.10.2023**