

SC 436/2021
STATE Vs. SUSHIL KUMAR ETC (13)
FIR No. 218 /2021
PS Crime Branch-North Delhi
U/s: 302/307/308/364/365/452/323/342/188/
269/147/148/149/506(II)/392/394/397/411/201/109/120B/34 IPC
U/s 25(1)(B)/27(1)Arms Act

04.05.2024

File taken up today on an application U/s. 439 Cr. P. C for grant of interim bail moved on behalf of applicant/accused **Subhash.**

Present: Sh. Kumar Sanjay, Ld. Addl. PP for the State.
Sh. Sumit Shokeen and Sh. Ankur Kumar, Ld. counsels
for applicants/accused persons.
Inspector Robin Tyagi in person.

Reply to the above said application has been filed by IO. Same is taken on record. Copy of the same supplied to Ld. counsel for applicant/accused.

Ld. counsel for applicant/accused submitted that Sh. Om Prakash, cousin grandfather of applicant/accused expired on 26.04.2024 and his cremation was performed on 27.04.2024. It is further submitted that post death rituals of the cousin grandfather of the applicant/accused are scheduled from 05.05.2024 till 07.05.2024 at his house in village Asauda, Bahadurgarh, Distt. Jhajjar, Haryana. It is further submitted that father of applicant/accused has already died and Late Sh. Om Prakash has always taken care of all the needs of applicant/accused and applicant/accused shared a father-son like relation with Late Sh. Om Prakash. It is prayed that the above said application may kindly be allowed to perform the last rituals of his grandfather.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions

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made by Ld. counsel for applicant/accused and Ld. Additional PP for State and has also perused the record placed before the same.

In view of the circumstances and the submissions of Ld. counsel for the applicant/accused on humanitarian ground **interim bail of applicant/accused is allowed for two days (from the date of release) on furnishing personal bond in the sum of Rs. 30,000/- with two sureties in the like amount subject to the following conditions:-**

- (i) Applicant/accused is directed to surrender before the concerned Jail Superintendent after the expiry of interim bail.
- (ii) Applicant/accused is further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime.
- (iii) Applicant/accused shall share his phone's live location as and when required by the IO. In case, it is prima facie brought to the notice of the court that the applicant/accused is violating the said conditions, the interim bail granted to him shall be liable to be canceled.

Applicant/accused is directed to surrender before the concerned Jail Superintendent after completing of interim bail.

The present application is disposed off accordingly. Present application file be tagged with the main case file. **Copy of the order be sent to concerned Jail Superintendent. Copy of this order be given dasti.**

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
04.05.2024