

IA. No. 10/24 in SC 478/19
STATE Vs. Babloo Kumar
FIR No. 167/19
P.S. KNK Marg
U/s 302/323/325/34 IPC

01.03.2024 at 04:00 PM

Present: Mr. Gyanender Mishra, Ld. Substitute Additional PP
for the State.

1. This is an application under Section 439 Cr.P.C. for grant of interim bail moved on behalf of applicant/accused Babloo Kumar, on the medical ground of his wife who is having difficulty in conceiving a child and the same has to be ensured from the AIIMS Hospital.

2. Ld. Counsel for applicant/accused submitted that applicant/accused will not flout any terms and conditions, if so imposed. It is prayed that a lenient view be taken.

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

4. I have already heard the submissions made by the Ld. Substitute Addl. PP for the State and Mr. H.L. Gandhi, Ld. Counsel for the applicant/accused.

5. Perusal of file shows that the similar application on the same ground had been dismissed by the Ld. Sessions Court vide orders dated 21.12.2023. The allegations against the applicant/accused in the present case are of grave and serious nature pertaining to Section 302 IPC. The material witness PW Ashok is still under examination. There is every possibility that if released on bail accused may commit similar offence or threaten the witnesses.

6. Seeing the totality of facts and circumstances, the gravity of the offence, no ground for interim bail is made out at this stage. The present application stands disposed off being **dismissed**.

Application is disposed off accordingly.

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

8. 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/01.03.2024