

SC 704/2022
STATE Vs. SHEIKH MAINUDDIN AND ANR. (2)
FIR No. 247 /2022
PS Bhalswa Dairy
U/s. 392/394/395/397/412/34 IPC

13.09.2022

File is taken up on an application U/s. 439 Cr. P. C. for bail has been filed on behalf of applicant/accused **Vikas S/o. Rakesh.**

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.

Sh. S. K. Tiwari, Id. counsel for applicant/accused.

Ld. counsel for applicant/accused submits that applicant/accused is in JC since 14.03.2022 and he has been falsely implicated in the present case. It is further submitted that nothing was recovered from the possession of the applicant/accused or at his instance. It is further submitted that applicant/accused was earning his livelihood through driving the battery rickshaw and he was lifted from his house by the police and falsely implicated in the above mentioned case. It is further submitted that no fruitful purpose will be served by keeping the applicant/accused in custody and prayer is made out for grant of bail application.

On the other hand, Ld. Additional PP for State has strongly opposed the bail application of applicant/accused Vikas S/o. Rakesh and prayer is made out for dismissal of the bail application.

Heard.

Keeping in view of the fact that recovery has already been effected and also considering his role and the custody period as well as the trial may take a long time due to the high pendency of the cases before the court, therefore, it is ordered that the applicant/accused be released on bail on his furnishing personal bond

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in the sum of **Rs. 25,000/- with one surety** in the like amount. However the applicant/accused is directed not to threaten the complainant and other prosecution witnesses in any manner or tamper with evidence or indulge in **any other criminal activity in future**. The applicant shall share his phone 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 bail granted to **him shall be liable to be cancelled on an application of investigating agency** in this regard. The bail application is disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case.

Application stands disposed of. Bail file be tagged with the main file.

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:13.09.2022_(RB)