

SC 865/2022
STATE Vs. SHIVAM @ MODA AND ANR. (2)
FIR No. 596 /2022
PS Adarsh Nagar
U/s. 302/34 IPC

16.08.2023

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

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Sh. Sarthak Tomar, Ld. counsel for applicant/accused.

Reply to the above said application has already been received.

Ld. counsel for applicant/accused submitted that mother of applicant/accused has survived the attack but she is in a critical condition and has been advised Angioplasty scheduled for 18.08.2023. It is further submitted that father of applicant/accused is suffering from paralysis and no other male member in the family of applicant/accused to look after his mother. It is further submitted that he has filed the medical documents alongwith the application and prayer is made out to grant the above said application.

On the other hand, Ld. Additional PP for State strongly opposed the above said 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.

Heard.

As per the reply filed by IO, wherein it is mentioned that “ HC Shokender visited at H. No. 471, Hari Mandir Wali Gali, Near Bus Terminal, Azadpur, Delhi, where he met with Ms. Guddi W/o. Ombeer (mother of applicant/accused Shivam @ Moda). He recorded her statement wherein she told that she is living with her

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husband and two minor daughters, her only son is running in jail. Her two elder daughters are already got married, rest of two are studying in 8th and 10th class” . Further, doctor has been advised to mother of applicant/accused for Angioplasty which is scheduled for 18.08.2023, on humanitarian ground the **interim bail is granted to applicant/accused Shivam @ Moda for a period of one week (i.e. 17.08.2023 to 24.08.2023) on furnishing his personal bond in the sum of Rs. 25,000/- with two sureties in the like amount.** However, he is directed to surrender before the concerned Jail Superintendent after the expiry of interim bail. He is further directed not to threaten the prosecution witnesses or tamper with evidence or indulge in any such crime. The 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 . The interim bail application is disposed off accordingly. Interim bail 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
16.08.2023