

Present : Sh. K D Pachauri, Ld. Addl. PP for the State.

Sh. Dev Raj, Ld. Counsel for applicant/accused.

1. This is an application under Section 483 BNSS for surrender or regular bail moved on behalf of applicant/accused Ajay Kumar @ Ajay Bihari.

2. It is submitted by Id. Counsel for applicant/accused that applicant had been in JC since 08.09.2018 and applicant has been falsely implicated in the present case and except the present applicant, two other co-accused are on regular bail which was granted by this Court. It is also submitted that accused was earlier declared PO and also that interim bail has been granted to him but he has not misused the liberty of interim granted to him as he has timely surrendered before the Court. It is also submitted that he is only male person in his family to look after his bed ridden mother as well as his wife and also being father of minor girl, he has responsibility to look after his minor girl aged about 2 years and that trial shall take long time to conclude and there is no chance to threaten any witness in the present case as all the material witnesses as well as other witnesses have been examined.

3. It is submitted by the Ld. Addl. PP for the State that applicant has been declared PO earlier in this case on 21.12.2017 and on was arrested on 08.09.2018. It is also submitted that presently, the case is pending trial and out of total 25 PWs, 13 PWs including complainant (PW13) and father of deceased (PW11) have been examined and have correctly identified the accused during their testimony. It is also submitted that offence alleged is

heinous in nature and applicant has already been granted interim bail and extensions on medical grounds and hence, it is submitted that the bail be dismissed.

4. Heard. Perused.

5. Considering the fact that the case pertains to the year, 2017 and the accused had been in JC for a long time except for 17 months where he remained absent and also considering the fact that all the other co-accused persons are on bail and the trial may not be completed soon due to various reasons, the applicant/accused is admitted to bail on furnishing personal bond in sum of Rs. 50,000/- with two sureties of the like amount subject to the conditions that:

- (a) Applicant/accused shall provide his all mobile numbers to IO and keep them switched on at all time;
- (b) Applicant/accused shall not commit the same offence again;
- (c) Applicant/accused shall provide his fresh address by way of an affidavit in the Court after his release and in case of any change in his address shall inform the Court;
- (d) Applicant/accused shall appear on each and every date of hearing before the Court.

6. Application stands disposed off. Copy dasti. Copy of this order be also sent to Jail Superintendent.

(SHIVAJI ANAND)
ASJ-II/SPECIAL JUDGE NDPS/
NORTH-WEST/ROHINI COURTS/
DELHI/05.12.2025