

ID No. 460/2019
IA NO. 09/2023
STATE VS. SONU@GANJA
FIR NO. 210/19
PS FARSH BAZAR
U/S. 394/397/411/34 IPC

04.03.2023

This is third application for grant of bail of applicant/accused, under Section 439 of Cr.P.C.

Present: Sh. Anil Kumar, Ld. Addl. PP for State.
Sh. Harsh Vardhan, Ld. counsel for the applicant/accused.

Ld. Counsel for applicant/accused has stated that applicant/accused was arrested on 04.04.2022 in the NBWs and since then he is in judicial custody. It is stated that the first bail application of applicant/accused was dismissed by the court on 03.08.2022 and the second was dismissed on 14.12.2022, however, the investigation is completed now and all the allegations leveled against the applicant/accused are false and frivolous.

Ld. Counsel for applicant/accused has further stated that applicant/accused is ready to abide all terms and conditions, if he may be granted bail and will co-operate with police and will not abscond and temper the witnesses in any manner.

Reply to the bail application has been filed by the IO wherein it is stated that present case was registered on the complaint of Ismail who stated that on 26.06.2019, at about 6.15 am, he received a call from Rajesh that two boys beat his wife Pushpa and lifted the complainant's iron door and they have gone towards Bhikam Singh

Colony. In the meantime, nearby Bhikam Singh Colony two boys were seen lifting the complainant's iron gate and one boy namely Sonu was caught by public and other boy fled from the spot.

Heard. Record perused.

In the present case, the applicant/accused was released on interim bail on 22.12.2020, thereafter, he failed to appear before the court, subsequently, NBWs were issued against him and he was sent to judicial custody on 04.04.2022 and since then he is in judicial custody. Ld. Counsel for applicant/accused has submitted that there is nothing to suggest that he is likely to abscond. Considering the period of judicial custody undergone by the accused, the applicant/accused is admitted to bail on his furnishing a personal bond in sum of Rs.15,000/- with two sureties of the like amount to the satisfaction of Ld. MM/Link MM/duty MM/ACMM/CMM concerned subject to the following conditions:-

- (1) during the period of bail, the accused/applicant shall not try to contact or influence, directly or indirectly, any of the witnesses of the present case;
- (2) the accused/applicant shall not misuse the benefit of bail by indulging in commission of similar offence in future;
- (3) the accused/applicant shall not leave the country without prior permission of the court;
- (4) the accused/applicant shall appear before Ld. Trial Court on each and every date of hearing.
- (5) the accused/applicant shall intimate the court in case of change of his address.

If the accused/applicant is found to be violating any of the above conditions, the State shall be at liberty to move an application for cancellation of bail. The bail application accordingly stands disposed off.

Copy of order be given dasti.

(KIRAN BANSAL)
ASJ-04, Shahdara/KKD Courts,
Delhi/04.03.2023