

Session case no. 161/18
FIR no. 467/17
PS: Adarsh Nagar
State Vs Sandeep @ Bablu & Ors.
U/s 302/307/324/34 IPC

16/01/2020

File taken up today as an application u/s 439 Cr.P.C for grant of interim bail for a period of 90 days moved on behalf of applicant/accused Sandeep @ Babloo, is pending.

Present: Sh. S.P Sharma, Id counsel for applicant/accused.
Sh. A.B Asthana, Id Substitute Additional P.P for State.

IO Inspector Shish Pal is present and has filed reply to the interim bail application.

Heard. Perused.

It is submitted by Id counsel for applicant/accused that earlier the applicant was released on interim bail vide order dated 02.11.2019 for a period of one week but due to strike of Advocates, he could avail the liberty of interim bail only for one day, had not misused the liberty of bail and thereafter surrendered timely.

In the reply of the IO, it is mentioned that wife of the applicant/accused died in a train accident on 24.10.2019 and applicant has two minor children.

Ld counsel for applicant/accused during the course of arguments has prayed that applicant may be released on interim bail for a period of one week for making necessary arrangements including financial arguments for his minor children.

On the other hand, Id Substitute Additional P.P for State has

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opposed the interim bail application on the ground of nature & gravity of offences and likelihood of absconding of applicant/accused. He has further submitted that applicant has already availed earlier.

Although the applicant has been accused of committing heinous offence u/s 302 IPC, but still admittedly he has minor children and in such circumstances, it can not be said that applicant has no human or legal rights or same will stand curtailed completely till culmination of trial which is likely to take considerable time. The applicant had not misused the liberty of interim bail granted to him earlier and had surrendered timely. The ground cited by Id counsel for applicant appears to be justified.

Keeping in view the totality of aforesaid facts and circumstances, the applicant/accused is ordered to be released on interim bail for a period of one week from the date of his release, on his furnishing personal bond in the sum of Rs. 50,000/- with two sureties in the like amount. Applicant/accused is directed to surrender before concerned Jail Superintendent directly after expiry of said period of one week. The interim bail application is disposed of accordingly.

Re-notify the main matter on date already fixed for purpose fixed. Dasti to all concerned.

(Ashutosh Kumar)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi: 16/01/2020_(M)