

18 SC44/2022
STATE Vs. SAHIL@bablu
544 /2021 (Sangam Vihar)

09.06.2022

Pr: Mr. Pravin Rahul, Ld.Addl. PP for State.
Mr. Rizwan Khan, Ld. Counsel for the accused/applicant.

This is an application u/s 439 Cr. PC for grant of bail moved by applicant / accused Sahil @ Bablu.

Reply filed by the IO.

Arguments heard on bail application.

It is submitted by Ld. Counsel for the applicant that applicant/accused is a law-abiding citizen and a young boy, aged about 19 years and was arrested on 28.01.2021 by the police of PS Sangam Vihar without any commission of offence. As per CCTV footage it cannot be said that applicant/accused is the person who attacked the injured. Applicant/accused is innocent and not committed any offence as alleged by the police officials. Investigation in this case has been completed, so applicant/accused is no more required for keeping in JC. Applicant/accused is peace loving and law abiding citizen of India and peacefully residing at Delhi along with his family and having clean and clear antecedents. Allegation on applicant/accused is absolutely false and baseless. Applicant/accused is ready to abide all terms and conditions which may be imposed by the Hon'ble Court. Applicant/accused is also ready to produce sound surety to the satisfaction of this Hon'ble Court.

This bail application is opposed by Ld. APP with say that accused have stabbed the victim multiple times with the intention to kill. The accused was duly identified in the CCTV footage of the incident and

also by the victim during investigation and in the court during his deposition as PW1. Other public witnesses are yet to be examined. Looking into the gravity of the offence and nature of evidence against him, the application for bail is liable to be dismissed.

Applicant is facing trial of offence u/s 307 IPC. He is in custody since 28.10.2021. Material witness/ injured has been examined. Injured has admitted that there was dark when he was assaulted by knife and he could not see the face of culprit. I have gone through the CCTV footage whereby accused was allegedly identified by the injured. On the basis of CCTV footage in the present case bail of applicant cannot be refused.

No purpose is going to be served by keeping the applicant further in custody.

Keeping in view nature of evidences, I find that applicant is entitled for bail. This application is allowed. Applicant is admitted to bail subject to furnishing personal bond in the sum of Rs.25,000/ with one surety in the like amount.

Copy of order be given dasti to Ld. Counsel for applicant.

Copy be sent to Jail Superintendent.

(Anil Kumar)

Addl. Sessions Judge-03(South)
Saket Courts/New Delhi/09.06.2022/ng