

Bail Application IA/04/2022
State Vs. Nathu
FIR No. - 842/20
PS : Uttam Nagar
U/s. 302/34 IPC

18.10.2022

Present: Sh. Yogendra Adari, Ld. APP for the State.

Sh. Anuj Rajpal, Id counsel for accused / applicant Nathu.

This is bail application filed under Section 439 Cr.P.C on behalf of the applicant/accused.

Reply already filed to bail application.

Today, counsel for the accused / applicant filed written submissions in support of his arguments and further prayed that he is not pressing for the bail application at this stage but only praying for giving interim bail for 30 days on the ground that through out the trial accused / applicant is in JC. He was arrested on 20.10.2020 and since then is in JC i.e. for almost two years and have never sought any parole or interim bail. During his incarnation his son Pradeep was murdered by PW-1 and his associates and even then he was not released from the jail and till now have not performed any prayers or customery duties for his deceased son.

Further, it is prayed and mentioned in the application that he is senior citizen of aged 62 years and suffering from multiple medical condition and doctors of DDU hospital have recommended urgent surgery for piles. Further, he has to execute some documents regarding his properties so that need of his family can be taken care of. It is further prayed that all the three co-accused have been enlarged on regular bail by this court and they are his family members and none of them has misused concession of bail granted to them.

Heard.

Reply filed by IO alongwith charge-sheet perused.

Considering that accused / applicant is senior citizen of aged 62 years and is in JC for almost two years since the day of his arrest and has never been released on interim bail or parole. During his incarceration his son got expired and he could not perform any prayers or customary rites and he has to execute some documents regarding his property to take care of needs of his family. Further, all the public witnesses have been examined and only police witnesses are left to be examined, therefore, application is hereby allowed.

The applicant/accused is admitted to interim bail for a period of one month from the date of his release on furnishing personal bond and surety bond in the sum of Rs.30,000/- each. The surety shall be a local resident of Delhi.

It is specified that the duration of the interim bail shall commence not earlier than 19.10.2022 and shall expire on 09.11.2022 when the accused shall surrender before Superintendent, Central Jail, Tihar by 5.00 p.m.

The accused shall share his live location with the IO on each day of his release on interim bail.

Copy of this order be given dasti to the counsel for the applicant/accused and be also sent to Superintendent, Central Jail, Tihar.

(Vipin Kharb)
ASJ-04(SW)/Dwarka Courts
18.10.2022