

SC No.3561/2022

FIR NO.449/2022

PS Ranhola

STATE VS. Chanderkala & Anr.

u/s 302/120B/34 IPC

18.10.24

File taken up on an application u/s 439 Cr. P.C filed on behalf of accused Jumman @ Jumma S/o Mohd. Fakr for grant of interim bail for 30 days.

Present: Ms. Parul Singh, Ld. Addl. PP for the state.
Ms. Jyoti Sharma, Ld. Counsel for the accused.

1. It is argued by the Ld. Counsel for applicant/accused persons that the applicant is languishing in JC since 20.05.2022 in the aforesaid false FIR. Further that he is innocent and falsely implicated in the present case as he has been never involved in the said allegations and there is no iota of evidence and he has been implicated on the disclosure of main accused Chanderkala. Further that he is a sole bread earner in his family and is suffering from their livelihood. The present interim bail application has been moved as the real sister of the accused is fixed for 24.11.24 and the accused herein is required to manage and arrange all the required articles and complete all the rituals as their father has already expired and he is the sole male member of the family, It is prayed that he may be granted interim bail for 30 days to get his sister married.

2. Application has been opposed on behalf of the State on the ground that the allegations against the accused are serious in nature and that the offence of murder of husband of co-accused by the applicant/accused with conspiracy and planning. Further material witnesses are yet to be examined. Further, the marriage of the sister of the accused has been verified and it is stated by the mother of the accused that the accused herein is the only son who is in JC and all

the arrangements are to be done along with supervision.

3. I have heard the arguments and perused the record and reply filed by the IO on the present bail application.

4. The allegations against the accused Jumman @ Jumma is grave and serious in nature and material witnesses are yet to be examined and there is an apprehension that the accused would influence the witnesses if granted bail as his family members have no control over him. Keeping in view the facts and circumstances of the case and the material available on record, the present court is of the opinion that no ground for interim bail is made out at this stage. Hence, the interim bail application filed on behalf of accused/applicant Jumman @ Jumma S/o Ilai Baks is *dismissed*.

5. Nothing said herein shall tantamount to have effect on the merits of the case. **Application is disposed off accordingly.**

(AMBIKA SINGH)
ASJ-02/THC/West/Delhi
18.10.24