

IA No. 6/2024
SC No. 271/2022
State Vs. Roju & Ors.
FIR No. 15/2021
PS: Dayalpur
U/s: 302/201/365/120-B of IPC &
Sec. 25/27 of Arms Act
29.4.2024

Present: Sh. Nazim, Ld. Counsel for the applicant/accused
Roju.
Sh. F. M. Ansari, Ld. Addl. PP for the State.
IO/Insp. Pankaj Gupta.

1. The matter is fixed for hearing arguments on the application for grant of interim bail for one month filed by the applicant/accused Roju. Report from the Superintendent of Central Jail No. 12, Mandoli, Delhi is also sought.

2. This court has received report from the Dy. Superintendent of Central Jail No. 12, Mandoli, Delhi alongwith the report of the Medical Officer In-charge, Central Jail No. 12, Mandoli, Delhi.

3. I have heard the Ld. Counsel for the applicant /accused and the Ld. substituted Addl. PP for the State.

4. Sh. Nizam, Ld. Counsel for this applicant/accused Roju has submitted that this applicant/accused is suffering from back pain, in view of slipping in the jail and submitted that there is no one in the jail to take care of him, so, he may be granted interim bail for a period of one month, so that this applicant /accused may get better treatment and he may recover from the injury.

5. On the other hand, Sh. F. M. Ansari, Ld. Addl. PP for the State has vehemently opposed this application and submitted that this applicant/accused had committed the heinous offence of murder and charges against this applicant/accused have been framed u/s. 302 & 201 of IPC & Sec. 25 & 27 of Arms Act and submitted that since, this court has received report from the Dy. Superintendent of Central Jail No. 12, Mandoli, Delhi alongwith the report of the Medical Officer In-charge, Central Jail No. 12, Mandoli, Delhi, which reveals that this applicant/accused is getting all the necessary medications from the jail dispensary, so, taking into consideration the nature of accusation and gravity of offence committed by this applicant/accused, he does not deserve the concession of interim bail and prayed for dismissal of this application, under consideration.

6. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

7. The perusal of the record reveals that in the case in hand, this applicant/accused is alleged to have committed the heinous offence of murder and charges against this applicant/accused have already been framed u/s. 302 & 201 of IPC & Sec. 25 & 27 of Arms Act. This applicant/accused has sought interim bail for a period of one month on the ground that he is suffering from back pain. Report of the Medical Officer In-charge, Central Jail No. 12, Mandoli, Delhi, reveals that this applicant/accused is alleged to have complained of back pain, in view of accidental

fall in the bathroom of the jail and since, as per the said report, this applicant/accused is getting all the necessary medications from the jail dispensary, so, taking into consideration the nature of accusation and gravity of offences alleged to have been committed by this applicant/accused, this applicant/accused does not deserve the concession of interim bail.

8. In the above terms, **the application for grant of interim bail for a period of one month filed by the applicant /accused Roju is dismissed.** But, the Superintendent of Central Jail No. 12, Mandoli, Delhi is directed to provide appropriate treatment to this applicant/accused. Dasti copies of this order be provided to the parties. **Attested copy of this order be also sent to the Superintendent of Central Jail, Tihar for supplying the same to this applicant/accused Roju.**

(PAWAN KUMAR MATTO)
Addl. Sessions Judge (Special Judge NDPS)
North East/KKD Courts/Delhi/29.4.2024