

**IN THE COURT OF DR. SHAHABUDDIN
VACATION JUDGE/ ADDITIONAL SESSIONS JUDGE/SPECIAL JUDGE:
NDPS: TIS HAZARI COURTS:(WEST) DELHI.**

Bail Matters No. 2726
FIR No. 170/18
P.S. Tilak Nagar
U/s 186/353/332/308/34 IPC
State Vs. Rajesh Kumar @ Raju

12.06.2018 (11.10 a.m.)

Present: Ms. Suchitra Singh Chauhan, Ld. Substitute Addl. PP for the State.

Ld. Counsel, Mr. R.K. Giri for applicant/accused Rajesh Kumar Mishra(in short accused), qua his 1st regular bail application u/s 439 Cr.P.C dt. 07.06.2018.

IO not present today as his presence was not required as he has already filed reply to this bail application.

As jointly prayed for, fresh arguments on the above mentioned bail application heard today from both sides present. The main grounds taken in this bail application are to the effect that this accused has been falsely implicated in the present case ; that there is no legal evidence in this case to connect the accused with the commission of the alleged offence ; that wife of accused is in advance stage of pregnancy and her delivery expected in July 2018 ; that injured was discharged from the hospital on the same day after giving him first aid ; that ingredients of under section 308 IPC not made out against him in this matter ; that he is ready to furnish reliable bail bonds, if released on bail at this stage.

Per contra, this bail application opposed from other side and mainly on the grounds that there are serious allegations of causing grievous injuries by this accused to the injured person ; that this accused is involved in many other criminal cases ; that he may abscond from justice and tamper with prosecution case/evidence adversely, if allowed to be released on bail at this stage. I perused the relevant papers minutely in view of above mentioned rival submissions from both sides.

Without commenting upon the merits of this case at this stage and after taking into consideration the fact that wife of this accused is reportedly in advance stage of pregnancy and accused required to take proper care and protection of his wife at this stage, further coupled with the fact that prima facie no previous involvement of this

accused has been shown in any other case at this stage, further coupled with the fact that this accused is in JC since 09.05.2018, I take a lenient view qua this bail application at this stage. Accordingly, this accused allowed to be released on bail on furnishing of personal bond in sum of Rs. 40,000/-(forty thousand) with one local/sound surety of same amount to the satisfaction of the Ld. Area MM/Ld. Duty MM/Ld. Link MM, as the case may be, with further conditions that he shall not threaten/adversely influence the prosecution witnesses, while remaining on bail. He shall not leave the territory of Delhi without prior permission of the Court. He shall surrender his passport, if having issued in his favour, within five days from today with SHO of area concerned. He shall not involve in any criminal activity during bail. He shall provide his fresh correct address to SHO concerned, in case of change of his address, within five days, after change of such address, if any. As prayed for, copy of this order be given dasti to Ld. Counsel for accused.

(Dr. SHAHABUDDIN)
ASJ/Special Judge (NDPS)
Vacation Judge
(West) Delhi/12.06.2018