

(Court hearing through Video Conferencing)

FIR No. 130/20

PS: Dayalpur

S/v Firoz Khan

U/s 147/148/149/427/436 IPC

06.06.2020

Present: Sh. Tofeeq Ahmed, Ld. Addl. PP for the State.

IO/SI Rajiv Kumar in person.

(mhcrdayalpur@gmail.com)

Sh. Bilal Anwar Khan, Adv for accused.

(anshu.kapoor097@gmail.com)

ASI Jitender Malik, Naib Court on duty.

Submissions heard.

Counsel for accused stated that accused is in JC since 03.04.2020.

There is no name of accused in the FIR. He is innocent and has been falsely implicated in this case. He has nothing to do with the alleged offence. The applicant is ready to abide by all the conditions of bail which this court wants to impose upon him.

On the other hand, ld. APP and IO have strongly opposed the bail application and stated that accused was part of mob who were involved in riots, stone pelting and destruction of public property alongwith other co-accused persons.

Ld counsel for accused has stated that all the FIRs pertaining to riots, against accused reflects similar facts and circumstances and the Hon'ble High Court of Delhi vide order dated 29.05.2020 has already granted bail to the accused in connected FIR no. 105/2020 PS Dayalpur in bail application no. 945/2020, and facts of this case are not different from the facts of case before the Hon'ble High

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Court of Delhi which have already been discussed in detail by Hon'ble Mr. Justice Anup Jairam Bhambani in his detailed judgment dated 29.05.2020.

Reply filed by IO in this case perused. The judgment of the Hon'ble High Court of Delhi also perused. Keeping in view the fact that the circumstances of the present case falls squarely within purview of judgment of the Hon'ble High Court of Delhi, and also keeping in view the fact that accused is not required for any further interrogation by the police, the bail application stands allowed and accused is directed to be released from JC in this case, if not required in any other case, on furnishing of the personal bond alongwith one surety bond in sum of Rs. 20,000/- each, subject to the satisfaction of the Id. Duty MM / Jail Superintendent, and subject to following conditions:

1. The accused shall not interfere in further investigation and shall not influence or threaten the witnesses in any manner;
2. Accused shall not misuse the liberty and shall not engage in any offence during his bail period.

The breach of any of abovesaid conditions shall tantamount to cancellation of bail automatically and IO will be entitled to arrest the accused and put him behind bars for the said violation. Copy of order be sent to the concerned Jail Superintendent. Soft copy of the order be uploaded to the internet today itself.

Application stands disposed off accordingly.


(TYAGITA SINGH)
ASJ on Duty / NE / KKD / DELHI
06.06.2020