

**IN THE COURT OF ANUBHAV JAIN, MM-05/ DUTY MM, SHAHDARA
DISTRICT, KARKARDOOMA COURT, NEW DELHI**

State v. Ravi
FIR No. 84/2020
u/s 392/397/24 IPC & 25/27 Arms Act
PS: Anand Vihar

Present order shall dispose off the bail application of accused **Ravi s/o Late Sh. Dharam Pal.**

Present: Counsel for Applicant (through Webex)
None for the state

It is stated in the application that accused Ravi is in custody since 04.03.2020. It is further stated that one of the co-accused namely Dipanker is already on bail/parole/interim bail. It is further stated that accused has been falsely implicated in the present case. It is further stated that accused is no more required for the custody. It is further stated that accused has no other previous involvement in any other case. It is further stated that accused is only member in family and is required to take care of his ailing mother.

In reply thereof it is stated by the IO that accused alongwith three other co-accused robbed the complainant and his friend and recovery of some money and identity card is effected from the accused. It is further stated that in case accused is enlarged on bail, there is possibility that accused might commit the similar offence.

Heard the arguments through VC and perused the record received through E-mail. None has joined the arguments on behalf of state.

As per the FIR accused person alongwith other co-accused robbed the complainant and his friend of cash, mobile and other documents, by showing them a Desi katta and other weapons. It is pertinent to state in here that although bail application mentions the offence u/s 379 IPC. however FIR has been lodged against the accused for the offence punishable u/s 397 IPC.

Be that as it may, the reply so filed by the IO is completely vague.

It is not stated as to on which date accused was arrested. Further none has appeared for state to argue on the said point. Further katta was not recovered from the possession of accused. Furthermore, although incident is stated to have taken place on 03.03.2020, however complaint was registered on 06.03.2020. Further, nothing is stated in the reply as to whether there is any previous involvement of the accused in any other matter.

Considering the fact that no arm is recovered from the accused herein, he is already in custody from more than 50 days, one of the co-accused has already been granted interim bail, accused be released on interim bail, subject to furnishing if bail bond and surety for a sum of Rs. 20,000/-. Accused shall surrender before the jail superintendent after 45 days of his release. Application disposed off accordingly.

Copy of order be send to computer branch for uploading the same on website. Copy of order be also send to A.O. (Judicial), who shall send the same to parties in terms of office order no. 2204-2221/D&SJ SHD/KKD/Delhi dated 20.04.2020 of the Ld. D&SJ, SHD, Karkardooma Courts, Delhi. Copy of order be also send to Jail Supt. Concerned.

(Anubhav Jain)
Duty Metropolitan Magistrate
Shahdara District, KKD Courts, Delhi
01.05.2020