

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

An application seeking permission for releasing the applicant/accused on personal bond and deduction the surety amount is moved by the counsel for applicant namely Yogendra Kumar Mishra.

Both the sides are heard on the application.

Considering the request, the application is allowed. Bail amount is reduced to Rs. 10,000/- with one surety of like amount. However, it is clarified that personal bail bond of accused shall be accepted only subject to verification of his address. The rest of terms and condition of order dated 31.08.2020 shall remain same. Application stands disposed off.

Copy of this order be given dasti.

**BALWINDER  
SINGH**

Digitally signed by  
BALWINDER SINGH  
Location: Delhi  
Date: 2020.09.17  
15:48:17 +0530

**(Balwinder Singh)**  
**MM (East)/KKD/Delhi/17.09.2020**

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

Ld. Counsel for applicant stated that he has moved wrong application and wants to withdraw the same.

Heard.

In view of the submissions, present application is dismissed as withdrawn.

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**(Balwinder Singh)  
MM (East)/KKD/Delhi/17.09.2020m**

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant/owner of mobile phone make Realme, bearing IMEI No. 866121048683293.

An application for release of of mobile make Realme, IMEI No. 866121048683293 on superdari has been moved by the applicant Deepak.

Reply is filed by the IO. As per reply, IO has no objection if the mobile make Realme, bearing IMEI No 866121048683293 is released to its rightful owner.

Heard. Application perused.

Having considered all the relevant inputs, report of the IO and in view of judgments in **Sunderbhai Ambalal Desai v. State of Gujarat** (AIR 2003 SC 638) and **Manjeet Singh v. State**, I am satisfied that this will be an eminently fit case where of **Realme, IMEI No. 866121048683293** can be released to rightful owner, subject to execution of security bond. Accordingly, let of mobile make **Redmi Y-2 Gold, bearing IMEI No. 862001049247658** be released to the rightful owner after preparing detailed panchnama; taking photographs of the of mobile make Realme, IMEI No. 866121048683293 valuation report and a security bond.

The photographs of the case property should be attested by the IO and countersigned by the complainant, accused, if any, as well as by the person to whom the custody is handed over.

The panchnama/photographs/valuation report etc. be filed along with charge sheet. IO is also directed to follow the necessary safeguards insisted in **Sunderbhai Ambalal Desai v. State of Gujarat & Manjeet Singh v. State.**

The application stand disposed of accordingly. Copy of this order be given dasti to the applicant and IO as well.

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**(Balwinder Singh)**  
**MM (East)/KKD/Delhi/17.09.2020**

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

An application u/sec. 437 Cr.P.C. for the release of the accused Akash Kumar on bail is moved by his Ld. Counsel.

Both the sides are heard on the application.

Considering the fact that investigation of the case is already complete and judicial custody of the accused is not required for any purpose, the application in hands stands allowed.

The accused is directed to be released on bail on furnishing of his personal bond in a sum of Rs. 20,000/- with one surety of like amount. Accused be released after verification of his address by the IO. It is further directed that the accused shall not tamper with or try to influence the prosecution witnesses in any manner after his release.

Copy of the order be given dasti on request.

Application is disposed off accordingly.

**BALWINDER  
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**(Balwinder Singh)**

**MM (East)/KKD/Delhi/17.09.2020**

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

An application u/sec. 437 Cr.P.C. for the release of the accused Mohar Singh on bail is moved by his Ld. Counsel.

Both the sides are heard on the application.

Considering the fact that case property has already been recovered and judicial custody of the accused is not required for any purpose, the application in hands stands allowed.

The accused is directed to be released on bail on furnishing of his personal bond in a sum of Rs. 20,000/- with one surety of like amount. Accused be released after verification of his address by the IO. It is further directed that the accused shall not tamper with or try to influence the prosecution witnesses in any manner after his release.

Copy of the order be given dasti on request.

Application is disposed off accordingly.

**BALWINDER  
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**(Balwinder Singh)**

**MM (East)/KKD/Delhi/17.09.2020**

17.09.2020

**The present application is taken up for hearing through VC through CISCO WEBEX APP.**

Present: Ld. APP for the State.

Ld. Counsel for applicant / accused through VC.

IO through VC.

An application u/sec. 437 Cr.P.C. for the release of the accused Rifakat Ali @ Bhaiye on bail is moved by his Ld. Counsel.

Reply filed by IO.

Arguments advanced by both the parties sides are heard on the application.

Ld. Counsel on behalf of the accused states that the accused has been falsely implicated in the present case, rather this FIR ie. FIR no. 339/2020 is a counter blast of the FIR NO. 338/2020 lodged by the accused. He further argued that initially the present FIR was lodged U/s. 324 IPC, however, later on after two months section 392 IPC was also added to the FIR NO. 339/2020. Ld. Counsel for the accused also argued that no recovery has been effected at his instance. Moreover, accused is the sole bread earner of his family, has clean antecedents and since he is a permanent resident of Delhi there is no chance of his absconding or tampering with the evidences and that the accused is in judicial custody since 28.8.2020.

Per contra, Ld. APP has opposed the bail application on the ground that the offence is of serious nature and the accused may hamper the investigation, if enlarged on bail.

Heard both the sides and perused the material on record.

Considering the fact that accused was formally arrested in this case, is in JC since 28.8.20 till date no recovery has been effected from the accused. Moreover, no previous criminal involvement or accused has been disclosed by the

IO in his reply and IO has also not stated that any custodial interrogation of the accused has to be conducted, no purpose will be served by keeping him in custody.

The accused is directed to be released on bail on furnishing of his personal bond in a sum of Rs. 20,000/- with one surety of like amount. Accused be released after verification of his address by the IO. It is further directed that the accused shall not tamper with or try to influence the prosecution witnesses in any manner after his release.

Copy of the order be given dasti on request.

Application is disposed off accordingly.

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**(Balwinder Singh)**  
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