

27.04.2020

These are two applications for bail U/s. 437 Cr.P.C. filed on behalf of accused persons namely Akshay @ Pahadi & Sunny @ Behra. These bail applications are being disposed off by way of court hearing and not by video conferencing as counsel for accused persons has undertaken in his bail applications that he does not want hearing by video conferencing and prefer only court room hearing.

Present: None for the State.

Sh. Rajesh Mittal, Counsel for accused persons namely Akshay @ Pahadi and Sunny @ Behra.

IO in person.

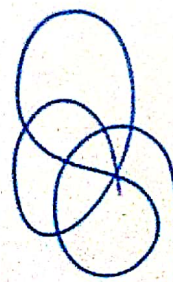
Sh. Ramesh Bhajia is the Ld. APP for the State on duty today. However, he has not appeared in person in court. Upon being contacted by Naib court, he has submitted that as per Video Conferencing guidelines of Hon'ble Delhi High Court and Ld. District & Sessions Judge, Shahdara, KKD, Delhi, he is available for hearings by way of video conferencing only.

It is submitted by counsel for the accused persons that accused Akshay @ Pahadi is in JC since 11.02.2020, while accused Sunny @ Behari is in JC since 16.01.2020. It is stated that they have been falsely implicated in the present matter. It is further submitted that custodial interrogation of accused persons is not required any more and accused persons are ready to abide by the terms and conditions, if any, imposed by this Court.

On the other hand, IO has opposed the bail applications on the ground that the allegations leveled against the applicants/accused persons are serious in nature and accused persons might jump the bail, if in case granted.

Submissions heard. Application perused. Reply by IO also perused.


Recovery of case property has already been made. Charge-sheet



has also been filed in the present matter. There appears to be no requirement of accused persons for any further custodial interrogation. In view of the fact that trial is likely to take some time due to ongoing suspension of the work in court except for urgent matters and the prevailing situation of COVID-19 pandemic, it is trite to say that no fruitful purpose would be served by keeping the applicants/accused persons behind bars any further for an indefinite period. However, in the reply filed by the IO, previous involvement of accused persons have been submitted and the record shows that both accused persons have several previous involvement including involvement in similar offences. Therefore, present bail applications are allowed, subject to the following conditions:

- That accused persons shall furnish bail bonds and surety bonds in the sum of Rs.25,000/- each with one surety in like amount, to the satisfaction of the concerned Jail Superintendent. In case, accused persons are unable to furnish surety bonds due to the prevailing condition of lockdown within 7 days of this order, then they shall be admitted to bail on furnishing personal bonds in the sum of Rs.35,000/- each to the satisfaction of the concerned Jail Superintendent.
- That accused persons shall not tamper with the evidence or attempt to influence / contact complainant or any other witnesses.
- That accused persons shall appear before the Court on each and every date of hearing.

Copy of this order be given *dasiti* to counsel as well as IO.  
Copy of this order be also sent to concerned Jail Superintendent.  
Applications stand disposed off accordingly.

  
(Deepthi Bevesh)  
Duty MM/\$HD  
KKD Courts/Delhi  
27.04.2020