

IN THE COURT OF SH. AMITABH RAWAT, ADDITIONAL SESSIONS
JUDGE-03 SHAHDARA DISTRICT, KARKARDOOMA COURT, DELHI

Bail Application No. 1623-2020

FIR No. 145/20

PS- Welcome

U/S. 143/144/147/148/149/307/188 IPC & Section 27 Arms Act

State Vs. Babu

07.11.2020

(Proceedings through Webex app).

Present : Sh. Saleem Ahmed, Ld. Special Public Prosecutor for the State
with I.O/SI Amit Bhardwaj.

Sh. J.P. Srivastava, Ld. Counsel for applicant/accused.

Detailed arguments heard.

The instant application for bail arises out of a yet another case of hideous riot in which one injured Rahul suffered a gunshot injury. The injured Rahul gave a fake address in his MLC and is untraceable even before the police could record his statement. The present accused Babu, with a bad antecedent history, was arrested on 08.04.2020 for the present offence of 25.02.2020 on the basis of a purported identification by Ct. Satish who is claimed to have been posted at Maujpur Red Light. Parity is claimed in as much as Imran who was arrested earlier on the strength of the statement of Ct. Satish recorded on 08.04.2020, was granted bail by this court earlier. As such, apart from the identification by Ct. Satish as the applicant being involved in rioting at near Maujpur Red Light towards Jafrabad on 25.02.2020, there is nothing much that has been brought on record. He stands on even a better footing than Imran who is already enlarged on bail in this case.

The present application has merits. Let me also put it in a different way :

*Babu pleading for his bail;
State opposing tooth and nail.
Summers bygone, winters have arrived;
But crime you did, and Rahul cried.
I am not the one, I am not the one;
Too grave the charge, don't pretend.
Whom did I attack, where is he;
Oh! That we know, in the trial we will see.
You say I have said & I deny from the first blush;
Rahul may be gone yet Satish said.
Didn't we say; don't rush;
Let me go, let me go, even Imran is on bail.
Even then, even then;
it wouldn't be a smooth sail.
Stop! Stop! Stop! Stop;
I have heard, heard a lot.
Mind is clear, with claims tall;
Its my time to take a call.
Babu has a sordid past;
proof is scant, which may not last.
His omnipotence can't be assumed;
Peril to vanished Rahul, is legally fumed.*

Take your freedom from the cage you are in;

Till the trial is over, the state is reigned in.

The State proclaims; to have the cake and eat it too;

The Court comes calling ; before the cake is eaten, bake it too.

Apropos, accused Babu is admitted to bail on furnishing of personal bond in the sum of Rs. 10,000/- with one local surety of the like amount to the satisfaction of Ld. MM/Link MM/Duty MM on the following conditions :-

- (a) The accused shall neither leave the jurisdiction of NCT of Delhi without prior permission of the court nor shall he indulge in any kind of criminal activity.
- (b) He shall also not tamper with any evidence or contact any witness;
- (c) He shall attend the court on every date of hearing or as directed by court.

Copy of this order be mailed to Ld. Counsel for accused as also to Ld. special Prosecutor, SHO & DCP concerned.

(Amitabh Rawat)
Addl. Sessions Judge-03
Shahdara District, Karkardooma Courts,
Dated: 07.11.2020