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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1403/2020**

SHATRUGHAN RAM

..... Petitioner

Through: Mr Sundeep Sehgal, Advocate.

versus

STATE

..... Respondent

Through: Ms Kusum Dhalla, APP for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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07.07.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition seeking interim bail for a period of 45 days in connection with FIR No.215/2012 under Section 302/365/392/201/411/34 of the IPC registered with PS Pul Prahladpur.
2. A status report has been filed, which indicates that the petitioner is being tried for murdering Shamin @ Pappu, a truck driver and Shera, his helper. The dumper (truck) being driven by them was found deposited in Allahabad. It was reported that three person including the one who were in the truck had escaped on the said truck being stopped by police authorities.
3. Subsequently, bodies of the driver and the helper (Shamim and Shera) were recovered. The allegation against the petitioner is that he along with two of his accomplices had murdered them and, thereafter, had stolen the dumper (truck no. HR 38 T 4687). It is also alleged that the accused had taken the money and mobile phones of the two deceased.

4. The petitioner has been in continuous custody for seven years seven months and twenty five days. Further, twenty seven out of thirty witnesses have been examined by the prosecution till date and the next date of hearing is now scheduled to be held on 19.08.2020. However, it appears that it is unlikely that the trial would be completed shortly since the courts are not working to their full capacity.

5. Considering the above and more particularly the period spent by the petitioner in judicial custody, this Court considers it apposite to allow the present petition and direct that the petitioner be released on interim bail for a period of 45 days. This is subject to the petitioner furnishing a Personal Bond in the sum of ₹15,0000/- and two sureties, who are residents of Delhi, of the like amount to the satisfaction of the Jail Superintendent/trial court. This order is also subject to the following further conditions:-

- a) the petitioner shall provide a mobile number to the concerned Jail Superintendent and ensure that he is reachable on it at all times;
- b) the petitioner shall proceed directly to his residence and remain there till his return to Delhi;
- c) During this period, he shall report to the concerned police station (PS Madhepura, Bihar) on Monday of each calendar week; and
- d) the petitioner shall not contact any of the witnesses either directly or indirectly.

6. The SHO of the concerned police station (PS Madhepura, Bihar) is also directed to inform the SHO at PS Pul Prahladpur whether the

petitioner is complying with the said directions.

7. A copy of this order be communicated to the concerned jail authorities electronically. The Jail Authorities shall also inform the SHO PS Madhepura of the petitioner's release and also send a copy of this order to him for compliance.

VIBHU BAKHRU, J

JULY 07, 2020
MK