



CNR No. DLCT01-006841-2019

IA No. 09/2025

SC No.462/2019

State Vs. Ashu @ Atta and Ors.

FIR No.210/2018

PS Prashad Nagar

U/s. 302/34 IPC and 25/2754/59 Arms Act

**REGULAR BAIL APPLICATION OF APPLICANT RAHUL GUPTA @ TYAGI**

**17<sup>th</sup> January, 2025**

Present: Sh. Yogender Adari, Ld. Addl. PP for State.  
Sh. Vineet Jain, Id. Counsel for applicant/accused.

1. Reply filed. Copy supplied.
2. This is an application filed on behalf of the applicant/accused Rahul Gupta @ Tyagi (hereinafter referred to as applicant) for grant of regular bail.
3. It is argued that the applicant is in J.C. since year 2018. It is further argued that the applicant has nothing to do with the alleged offence. It is further argued that the applicant has already lost his father prior to the alleged incident and during trial of the present case, his mother has also expired. It is further argued that the present FIR is registered on the false and vague statement of deceased brother i.e. Pawan @ Hanny, whose presence at the spot is itself in doubt as neither he tried to save his brother, nor he accompanied to his brother to the hospital and most importantly, he has not tried to call to police about the alleged incident. It is further argued that the conduct of the

said witness in the manner he acted in the said circumstances, when his brother was lying in a pool of blood, instead of taking him to the hospital. It is further argued that only six witnesses out of 36 witnesses have been examined. It is further argued that the investigation in this case is already complete. It is prayed that the applicant be released on bail.

4. Application has been opposed by the ld. Addl. PP for State on the ground that the allegations against the applicant are serious in nature. It is further submitted that the material witnesses are yet to be examined and that the applicant is found involved in several other criminal cases. It is further submitted that the role of the applicant is clearly defined in the FIR. It is prayed that bail application of the applicant may be dismissed.
5. Arguments heard. Record perused.
6. In the present case, the allegations against the applicant are that he and his associate Amar @ Kanha caught hold of the deceased and the third assailant Ashu @ Atta attacked the deceased with a knife and the deceased was taken to Lady Harding Hospital where he was declared dead during the treatment.
7. The cause of death as per postmortem report is “hemorrhagic shock and its complications consequent upon stab injury over left thigh which is sufficient to cause death in ordinary course of nature”.

8. The FIR is by the name of the applicant and his role has been categorically defined by the complainant in the contents of the FIR. The complainant and other eye witnesses are yet to be examined.
9. The offence is of heinous nature. The applicant is found involved in previous criminal cases as well. As per the nominal roll of the applicant, his conduct in jail has also been found to be unsatisfactory.
10. Considering the overall facts and circumstances, this Court is not inclined to grant bail to the applicant at this stage.
11. Application filed by the applicant Rahul Gupta @ Tyagi for grant of bail is hereby dismissed.
12. Copy of this order be given dasti to Id. Counsel for applicant/accused.
13. A hard as well as soft copy be also sent to the concerned Jail Superintendent immediately for information and necessary action.

**(SUSHIL ANUJ TYAGI)**  
**ASJ-04/Central/Delhi**  
**17.01.2025<sub>(VR)</sub>**