



CNR No. DLCT01-006841-2019

IA No. 10/2025

SC No.462/2019

State Vs. Ashu @ Atta and Ors.

FIR No.210/2018

PS Prashad Nagar

U/s. 302/34 IPC and 25/27/54/59 Arms Act

**REGULAR BAIL APPLICATION OF APPLICANT AMAR @
KANHA SON OF LATE SH. RAJPAL**

27th May, 2025

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

1. Reply already filed. Copy already supplied.
2. This is an application filed on behalf of the applicant/accused Amar @ Kanha (hereinafter referred to as applicant) for grant of regular bail.
3. It is argued that the applicant is in J.C. since 21.07.2018. It is further argued that all the material witnesses have been examined and out of 44 witnesses cited by the prosecution, only 12 witnesses have been examined till yet and the trial is going to take its own time. It is further argued that the investigation in the present case has been completed. It is further argued that there is neither any recovery made from the applicant nor any scientific evidence available on record that incriminates or connects the applicant with the alleged offence. It is further argued that nothing incriminating has been recovered either from the possession of the applicant or at his instance incriminating

or connecting the applicant with the alleged offence. It is argued that the co-accused Rahul Gupta @ Tyagi has already been granted regular bail vide order dated 16.05.2025 by the Hon'ble High Court of Delhi. It is prayed that the applicant be released on bail on parity with the co-accused Rahul Gupta @ Tyagi.

4. Application has been opposed by the Id. Addl. PP for State on the ground that the allegations against the applicant are serious in nature. It is further submitted that the applicant is found involved in 15 more criminal cases. 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 the co-accused Rahul Gupta @ Tyagi and the applicant 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 co-accused Rahul Gupta @ Tyagi has already been granted regular bail vide order dated 16.05.2025 by the Hon'ble High Court of Delhi. The role of the applicant is similar with the co-accused Rahul Gupta @ Tyagi.

9. Considering the facts and circumstances, the applicant *Amar @ Kanha* is also admitted to bail on parity with co-accused Rahul Gupta @ Tyagi on furnishing P/B and S/B in a sum of Rs. 25,000/- with two sureties of the like amount subject to conditions :-

- a) *The applicant/accused shall cooperate in any further investigation as and when directed by the IO.*
- b) *The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever.*
- c) *The applicant/accused shall under no circumstances leave the country without the permission of the Court.*
- d) *The applicant/accused shall appear before the Court as and when directed.*
- e) *The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/SHO.*
- f) *The applicant shall, upon his release, give his mobile number to concerned IO/SHO and he shall keep it switched on and active at all times.*
- g) *The applicant shall report to the concerned PS on the first Friday of every month.*

10. Application stands disposed of in above terms.

11. Nothing herein shall tantamount to any expression or opinion of this Court on the merits of this case.

12. Ahlmad is directed to bring to the notice of the Court, if the applicant/accused fails to furnish the bail bonds within 30 days from today, for conducting a review in terms of the judgment passed by the Hon'ble Supreme Court of India in the case of ***“In Re Policy Strategy For Grant of Bail” SMWP (Criminal) No. 04/2021*** dated 31.01.2023, wherein the guidelines are laid down in this regard.

13. Copy of this order be given dasti to Id. Counsel for

applicant/accused.

14. 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
27.05.2025^(VR)