

CNR No. DLCT01-010533-2022



IA No. 02/2022

SC No. 442/2022

FIR No. 330/2022

PS Burari

State Vs. Mukesh & Anr.

U/s. 307/392/394/397/411/34 IPC & 25 Arms Act

BAIL APPLICATION OF APPLICANT RAJAN

15th November, 2022

Present: Mohd. Iqrar, Ld. Addl. PP for state.
Sh. Ashutosh Kumar Mishra, ld. Counsel for the
applicant/accused Rajan.
IO SI Gajpal Singh in person.

1. Reply to the bail application filed.
2. Arguments on the bail application heard.
3. This is an application u/s. 439 Cr. P.C. seeking bail filed on behalf of the applicant/accused Rajan (hereinafter referred to as applicant).
4. It is argued on behalf of the applicant that the applicant is in custody since 07.04.2022. It is further argued that the applicant has not been named in the FIR nor he is the main applicant/accused of the offence alleged and his name has been added subsequently by the police informer. It is further argued that charge in the present case has already been framed. It is further argued that no specific role has been assigned to the applicant in the present case. It is

further argued that the recovery of mobile phone and Rs. 500/- as shown in the charge-sheet is completely false and planted by the IO. Ld. Counsel for the applicant has relied upon the judgment in case ***Satender Kumar Antil Vs. CBI***, 2022 and ***Navendu Babar Vs. State NCT of Delhi***, 2020 decided by Hon'ble High Court of Delhi. It is further argued that the investigation in the present case has been completed and further custody of the applicant is not required. It is prayed that applicant Rajan be released on bail.

5. The application has been opposed by the Addl. PP for State with the assistance of IO SI Gajpal Singh on the ground that the offence committed by the applicant is a serious offence. It is further submitted that the applicant may commit similar offences, if released on bail. It is further submitted that the applicant may jump the bail. It is further submitted that the applicant is found involved in two other cases. It is prayed that the bail application of the applicant Rajan may be dismissed.
6. Heard. Record perused.
7. As per record, the earlier bail application of the applicant was dismissed on 24.08.2022 and since the dismissal of the earlier bail application, the only change in circumstances is the framing of charge. The victim/complainant is yet to be examined in the present case. The allegations levelled against the applicant are of very serious nature of looting the victim as well as causing

stab injuries to the victim at the time of robbery.

8. Considering the overall facts and circumstances, this Court is not inclined to grant bail to the applicant at this stage.
9. The application for grant of bail to the applicant Rajan is hereby dismissed.
10. Copy of this order be given dasti to the Id. Counsel for the applicant.
11. Copy of this order be also sent to the concerned Jail Superintendent for information and necessary action.

(SUSHIL ANUJ TYAGI)
ASJ-04/Central/Delhi
15.11.2022^(VR)