

SC No. 343/2025
STATE Vs. Hitayatulla
FIR No. 277/2025
PS Shastri Park

08.07.2026

Present: Sh. S.K. Tripathi, Ld. Addl. PP for State.
Ld. counsel for the applicant/accused.
IO SI Rajender Sing in person.

1. This the bail application filed on behalf of the applicant/accused Hitayatulla.
2. It is submitted by Ld. counsel for the applicant that one eye witness Ganesh who is also victim has turned hostile. It is further submitted that he has failed to identify the weapon of offence or the clothes which were worn by accused persons at the time of commission of offence. It is submitted that as far as PW Gulshan is concerned, it is noted in the charge sheet by IO that Gulshan has stated that he will not come to the Court to depose. Further, co-accused is on bail.
3. On the other hand, Ld. Addl. PP opposes the bail application.
4. This Court has heard both the sides and gone through the record.
5. There are four eye witnesses in this case. PW1 Ganesh has not identified accused persons in this case but other eye witnesses are yet to be examined. Further, the

present applicant had a different role as compared with co-accused. Further, whether PW Gulshan will appear in Court to depose or not is to be seen at appropriate stage.

6. In view of manner of commission of crime and that other eye witnesses are yet to be examined, this Court is not inclined to grant him bail, hence the same is hereby **dismissed**.

7. Application stands disposed off accordingly.

8. Copy of this order be given dasti.

(Twinkle Wadhwa)
ASJ-02(NE)/ KKD/Delhi
08.07.2026/nk