

06.02.2023

Present: Sh.Indresh Kumar Ld. Addl. PP for the State.
Ld. Counsel for accused.

1. Bail application of accused Vaibhav Jain has been filed.
2. Arguments have been heard on behalf of Ld. Counsel for the accused. He has argued that applicant is not a previous convict. The matter has been committed for trial and already sufficient period has spent by him in custody, therefore, he be granted bail.
3. Ld. Addl. PP for the State has argued that all the accused persons in collusion with each other and in furtherance of their common intention committed the murder of the deceased Tara Bodh and also robbed her prior to her death. Accused Mainsh, Akash and Aman had committed her murder whereas accused Vaibhav Jain had conducted reiki of the husband and son of the deceased who used to put stall of school uniforms in weekly market. Father of accused Aman was employed previously on piece work basis by the husband of the deceased for the purpose of stitching of school uniforms. After death of his father, accused Aman also used to stitch the school uniforms for the business of the deceased's husband, therefore he was known to deceased also.
4. On the day of the incident, accused Aman had gone to the deceased on the pretext of asking for sack to put the stitched school uniforms. When she, along with accused Aman, went to the store which was located just opposite to her residential house, accused Manish and Akash also entered the store in quick succession and all three accused brutally committed the murder of the deceased and looted her jeweleries. Jewelleries were recovered at the instance of accused Akash. Blood stained clothes of the accused persons and some other articles were sent to FSL but FSL result is still awaited.

5. Accused Vaibhav Jain was in constant touch with other three accused persons at the time of incident and his mobile location was found to be near the stall of the husband and son of the deceased at Monday Market which is 5-6 kilometers away from the place of the incident. The case of the prosecution is that his job was to alert the other accused persons lest some one should inform them about the presence of other accused persons/ incident with the deceased and they should make a move towards their house.

6. Considering the conduct of the applicant as alleged by the prosecution and serious offence involved in the present case and the fact that witnesses are yet to be examined; I am not inclined to admit accused Vaibhav Jain to bail. Accordingly, application is dismissed.

7. Put up for the date already fixed.

(Savitri)
ASJ-02(NE)/ KKD/Delhi
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