

05.12.2024

File taken up today third bail application U/s. 483 BNSS for grant of regular bail moved on behalf of applicant/accused **Sonu Kumar**.

Present: Sh. Sanjay Jindal, Ld. Addl. PP for the State.
Sh. Prashant Yadav, Sh. Ankit Khatri, Ms. Laxmi Gaur and Sh. Aniket Gupta, Ld. counsels for applicant/accused.
IO/Inspector Vinay Kumar in person.

Ld. Counsel for applicant/accused submits that applicant/accused is in JC since 21.06.2020 and he has been falsely implicated in the present case. It is further submitted that applicant/accused has nothing to do with the alleged offences and no recovery is to be effected from the applicant/accused. It is further submitted that investigation of the present case has already been completed and chargesheet has already been filed. It is further submitted that he is no more required for further custodial interrogation and no fruitful purpose would be served to keep the applicant/accused behind the bar. It is prayed that above said application may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail application and submitted that allegations against the applicant/accused are serious in nature. It is prayed that the above said application may kindly be dismissed.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicant/accused and Ld.

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Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that vide order dated 04.4.2022, charge for the offences punishable U/s 364/302 IPC has been framed against applicant/accused registered. Perusal of the record further shows that present case is at the stage of prosecution evidence and around eight prosecution witnesses have been examined till date. It is not dispute that there is no eye witness of the alleged incident of murder of deceased Ankit and the case of prosecution is based on circumstantial evidence on 'last seen theory'. Applicant/accused is in JC since 21.06.2020 i.e. for a period around 4 years 5 months. Nodoubt trial shall take time. No useful purpose shall be served by further incarceration of applicant/accused **Sonu Kumar** , therefore , it is ordered that **applicant/accused Sonu Kumar be released on bail on his furnishing personal bond in the sum of Rs. 30,000/- with two sureties in the like amount subject to the following conditions:-**

- (i) Applicant/accused is directed not to threaten prosecution witnesses in any manner or tamper with evidence or indulge in any other criminal activity in future;
- (ii) The applicant shall appear before the court on each and every date of hearing;

In case, it is prima facie brought to the notice of the Court that the applicant/accused is violating the said conditions, the bail granted

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to him shall be liable to be cancelled on an application of investigating agency in this regard.

The bail application is disposed of accordingly. Nothing stated herein shall tantamount to any expression of opinion on the merits of the case. Application stands disposed of. Bail application file be tagged with the main file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
05.12.2024