

SC 256/2019
STATE Vs. HARSH @ DEEPAK @ JONI
FIR No. 485 /2018
PS BAWANA
U/s.307/174A/34 IPC

24.04.2023

File taken up today on an application U/s. 439 Cr. P. C for grant of bail moved on behalf of applicant/accused **Manoj @ Toni @ Chotu.**

Present: Sh. Himanshu Garg, ld. Addl. PP for the State.
Sh. Akshay, Ld. counsel for applicant/accused.
IO is present.

Reply to the bail application filed by the IO. Same is taken on record.

Ld. counsel for applicant/accused submitted that applicant/accused is in JC since 30.08.2020 and he has been falsely implicated in the present case. It is further submitted that nothing incriminating has been recovered from the applicant/accused and nor anything was recovered at his instance. It is further submitted that applicant/accused was never misused the liberty when he was granted interim bail on HPC ground and he had timely surrendered before the concerned Jail authorities. It is further submitted that co-accused has already been granted bail and applicant/accused is not required in any kind of investigation nor any custodial interrogation is required. It is prayed that bail application may 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 further submitted that vide order dated 06.06.2022 & 17.08.2022 this Hon'ble court has already been dismissed the bail application of applicant/accused. It is further submitted that applicant/accused was declared PO and on 30.08.2020

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he was arrested. It is further submitted that at the time of incident applicant/accused had fired upon the complainant. It is further submitted that material witnesses are yet to be examined and if bail is granted to applicant/accused there are chances he may jump the bail and threatened the witnesses. It is prayed that bail application may be dismissed.

Heard.

Keeping in view the facts and circumstances of this case and also considering the fact that material witness is yet to be examined and also considering the submissions of Ld. Additional PP for State that applicant/accused was earlier declared PO and the bail applications of applicant/accused were dismissed on 06.06.2022 & 17.08.2022 and till date no fresh ground is made out and also considering the seriousness of the offence, the present bail applications are **dismissed**. Bail application files be tagged with the main file. **Copy of order be given dasti to the concerned parties.**

(Shivaji Anand)
Addl. Sessions Judge: 04 (North)
Rohini Courts: Delhi:24.04.2023_(RB)