

IA No. 06/2023 in SC 121/2022
STATE Vs. Ratish Thakur
FIR NO. 604/2021
PS Model Town
U/s 392/397/201/120B/34 IPC
& 25/27 Arms Act

18.11.2023

This is an application under Section 439 Cr.P.C. for grant of bail moved on behalf of applicant/accused Ratish Thakur.

Present:- Mr. Harvinder Nar, Ld. Additional PP for the State.

Mr. Almine, Ld. Counsel for applicant/accused (through VC).

Reply to the bail application filed.

Arguments heard

1. Briefly stated, the present has been registered on the complaint of complainant Manmeet Guleria, in which he stated that two people had looted an amount of Rs.6,06,000/- from the showroom 24 Carate at Shop No. 3,B-1/157, Gujranwala Town, Delhi, at gunpoint. That co-accused Deep Shubham was arrested and in his disclosure statement he stated that he robbed 24 Carate at Shop No.3,B-1/157, Gujranwala Town, Delhi with the help of Ratish Thakur, applicant herein. That accused Ratish Thakur, applicant herein was arrested from his address Village Bel. PS Bairganiyam Distt. Sitamarhi, Bihar and bag used in the offence was recovered from his possession which was seized. Accused Deep Shubham and met applicant Ratish Thakur in Seetamarhi Jail when Ratish was put behind bars in a murder case in FIR No. 93/2016 U/s 302 IPC. Accused told that he had spent all the money that he had robbed from the showroom and thrown away the knife which he had carried during robbery. Eventually, the present FIR has been registered.

2. It is argued by Ld. Counsel for the applicant/accused that accused is running in JC for a considerable time and has been falsely implicated in the present case. That trial will take its own course and it is prayed that a lenient view be taken.

3. Ld. Additional PP for the State vehemently opposed the bail application submitting that the allegations levelled against the applicant/accused are very grave and serious in nature and the accused has played an active role in committing the crime.

4. Record perused. I have also perused the report filed by the IO.

5. The present has been registered on the complaint of complainant Manmeet Guleria, in which he stated that two people had looted an amount of Rs.6,06,000/- from the showroom 24 Carate at Shop No. 3,B-1/157, Gujranwala Town, Delhi,at gunpoint. That co-accused Deep Shubham was arrested and in his disclosure statement he stated that he robbed 24 Carate at Shop No.3,B-1/157, Gujranwala Town, Delhi with the help of Ratish Thakur, applicant herein. That accused Ratish Thakur, applicant herein was arrested from his address Village Bel. PS Bairganiyam Distt. Sitamarhi, Bihar and bag used in the offence was recovered from his possession which was seized. Accused Deep Shubham and met applicant Ratish Thakur in Seetamarhi Jail when Ratish was put behind bars in a murder case in FIR No. 93/2016 U/s 302 IPC. Accused told that he had spent all the money that he had robbed from the showroom and thrown away the knife which he had carried during robbery.

6. There is also a CCTV footage seen capturing the crime. It is also reported by the IO that accused does not have any permanent address and can jump the bail and even threaten the witnesses.

Matter is still at the initial stage. In the present case, owing to the gravity of the offence and the active role played by the applicant/accused, applicant does not warrant any leniency at this stage. Moreover, the last bail application of the applicant/ accused has been **dismissed** on **02.11.2023** and since then, **there is no change in circumstances** which has been brought forth.

7. Seeing the totality of the fact and circumstances and the above said discussion, no ground for grant of bail is made out at this stage. The bail application accordingly **dismissed**.

Application stands disposed off.

8. *It is clarified that nothing stated herein shall tantamount to an expression of opinion on the merits of the case.*

9. Copy of the order be given *dasti* to the Ld. Counsel for the applicant/accused as well as be sent to concerned IO, concerned Jail Superintendent, Ld. Secretary, DLSA (North), through all possible modes, as per rules.

(Shefali Sharma)
Addl. Sessions Judge-02(North)
Rohini Courts Delhi
18.11.2023