

24.08.2022

File is taken up on an application U/s. 439 Cr. P. C for grant of bail moved on behalf of applicant/accused **Raju**.

Present: Sh. Sanjay Jindal, Id. Addl. PP for the State.  
Sh. S. B. Dinkar, Id. counsel for applicant/accused.

Reply of the bail application has been received.

Ld. counsel for applicant/accused submits that applicant/accused is in JC since 18.06.2021 and he has been falsely implicated in the present case. It is further submitted that charge-sheet of the present case has already been filed and there is no proof and evidence against the applicant/accused and there is also no any direct witness against the accused/applicant. It is further submitted no recovery has been affected either from the possession of the applicant/accused or at his instance and prayer is made out for grant of bail.

On the other hand, Ld. Additional PP for State has strongly opposed the bail application and submits that material witnesses are yet to be examined, if he is released on bail, he may influence the witnesses. It is further submitted that allegation levelled against the applicant/accused are serious in nature, hence the bail application may be dismissed.

Heard.

Keeping in view of the fact that the presence of the applicant/accused is not denied at the said incident and also keeping in view that the applicant along with co-accused persons had gone to take revenge from deceased as co-accused Ankit and Shankar were having previous enmity against the deceased as he had attacked co-accused Ankit and deceased was facing trial U/s. 307 IPC against one

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of the accused person and also keeping in view that the possibility cannot be ignored that the applicant/accused might influence or extend threat to the witnesses of the present case, if application is allowed. Considering the seriousness of the offence, the present bail application is **dismissed**. Bail application file be consigned to record room. **Copy of order be given dasti to the concerned parties.**

(Shivaji Anand)  
Addl. Sessions Judge: 04 (North)  
Rohini Courts: Delhi:24.08.2022<sub>(RB)</sub>