

SC 139/2021
STATE Vs. SATISH KUMAR & Anr.
FIR No. 706 /2020
PS S.P. Badli
U/s. 302/201/182/120B IPC

05.08.2023

File taken up today two separate applications U/s. 439 Cr. P. C for grant of bail moved on behalf of applicants/accused persons namely **Satish Kumar & Vivek Kumar Jha.**

Present: Sh. Pankaj Kumar Ranga, Ld. Addl. PP for the State.
Sh. Neeraj Sharma, Ld. counsel for applicants/accused persons namely Satish Kumar & Vivek Kumar Jha.
IO/ SI Nitesh in person.

Reply to the bail application of applicant/accused Satish has been filed by IO. Same is taken on record.

Ld. counsel for applicants/accused persons submitted that applicants/accused persons namely Satish Kumar and Vivek Kumar Jha are in JC since 20.10.2020 and they have been falsely implicated in the present case. It is further submitted that present case is at the stage of evidence and trial will take long time. It is further submitted that applicants/accused persons are no more required for further custodial interrogation and no fruitful purpose would be served to keep the applicants/accused persons behind the bar. It is prayed that the above said applications may kindly be allowed.

On the other hand, Ld. Additional PP for State strongly opposed the bail applications and submitted that allegations against the applicants/accused persons are serious in nature. It is further submitted that during interrogation applicants/accused persons disclosed that they had a quarrel with the deceased and they killed him by strangulation. It is further submitted that if bail applications are granted to applicant/accused there are chances they may threaten the witnesses. It is prayed that the above said application may kindly be dismissed.

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Heard.

This court has given thoughtful consideration to the submissions made by Ld. counsel for applicants/accused persons and Ld. Additional PP for State and has also perused the record placed before the same.

Perusal of the record shows that charges for the offences punishable U/s. 302/201/182/120B IPC have been framed against applicants/accused persons vide order dated 11.01.2023 and the matter is at the stage of PE. Perusal of the record further shows that one PW 1 Ms. Khushboo has been partly examined and further examination is deferred for want of case property. Perusal of the record also shows that one another witness namely Mr. Bullinder Kumar Mishra is yet to be examined. Further, it has come in the investigation that as per CDR analysis, mobile location of both the applicants/accused is found near DTC Depot , Munak Canel i.e. the place where dead body of deceased was thrown in a iron box. Trial is at the initial stage. Keeping in view the facts and circumstances of this case and also considering the seriousness of the offences alleged against applicants/accused persons. the present bail applications stand dismissed. **Copy of order be given dasti to the concerned parties.** The present bail application files be tagged with the main case file.

(Sushil Kumar)
Addl. Sessions Judge- 04
North District Rohini Courts Delhi
05.08.2023