

SC No. 376/2023
State Vs. Manish Kumar @ Monti
(applicant/accused Rohit Kumar @ Sagar)
FIR No. 346/2023
P.S. Jyoti Nagar
u/s 302/120-B/34 IPC.

30.10.2025

**ORDER ON THE REGULAR BAIL APPLICATION OF
APPLICANT/ACCUSED ROHIT KUMAR @ SAGAR.**

Present : Sh. Parmod Kumar, Ld. Addl. PP for State.

1. The present is stated to be the first bail application filed on behalf of applicant/accused Rohit Kumar @ Sagar for granting regular bail to him in FIR No. 346/2023 registered at P.S. Jyoti Nagar u/s 302/120-B/34 IPC.

The trial of the case is pending in this court at the stage of prosecution evidence. The applicant is in JC since 18.05.2025.

2. The case of the prosecution is that on 17.05.2023 at about 2.00 pm in broad day light, the applicant along with other two co-accused persons namely Manish Kumar @ Monti and Prashant @ Anushu committed murder of deceased Rahul by multiple stabbings with knife to him near Samuday Bhawan, Ashok Nagar, Delhi. Prosecution has cited three eye witnesses of the incident one Rakesh Kumar (PW4) a passerby from the spot, deceased's brother namely Neeraj Singh (PW3) and his father namely Chhattar Singh (PW5).

3. Ld. Counsel for applicant has argued that applicant has been falsely implicated in this case; all the public witnesses have already been examined, therefore, there is no possibility to influence them; moreover, PW Rakesh Kumar (alleged eye witness) has not supported the case of the prosecution and turned hostile; even presence of PW3 Neeraj Singh and PW5 Chhattar Singh is also doubtful at the spot since they could not be seen in the CCTV footage of the incident filed alongwith the chargesheet; applicant is the sole bread earner in his family; he is not involved in any other case. Thus, he prays that the applicant be admitted on bail.
4. Per contra, the bail application is opposed by the Ld. Addl. PP submitted that allegations against the applicant are serious; the applicant can be clearly seen in the CCTV footage of the incident while stabbing the deceased; the eye witnesses specially PW3 Neeraj Singh and PW5 Chhattar Singh have supported the prosecution case. He prays to dismiss the present application.
5. Arguments considered.
6. Allegations against the applicant are found to be serious. The prosecution has already examined all the three eye witnesses. It is settled law that at the stage of bail, the court is not required to analyze the evidence in depth as the same may influence the trial and final outcome of the case but the court may look into the evidence only for the purpose of ascertaining prima facie involvement of applicant/accused in the alleged crime. *Here*, on prima facie perusal of

evidence of PW3 Neeraj and PW5 Chhattar Singh, it appears that they have supported the case of the prosecution. The role ascribed to the applicant in the crime is specific. In the totality of facts and circumstances, at this stage, no ground for bail is made out. Hence, the application is hereby dismissed.

(Charu Aggarwal)
ASJ-02/E-Court/Shahdara
KKD/Delhi/30.10.2025