

SC No.186/2017
FIR No.11/17
PS. Ambedkar Nagar
U/s. 302/307/120B IPC & 25/27/54/59 Arms Act
State Vs. Prakash etc.

20.04.2017

Present : Mr. Rakesh Mehta, Addl.PP for the State
Mr. Jagat Singh, counsel for accused Chander
Bhushan
IO of the case.

Heard on the bail application moved on behalf of
accused Chander Bhushan.

Counsel for the accused submits that except
allegation of unlicensed weapon of offence being procured from
present applicant, there is no other allegation against the
present applicant/accused. It is further stated that even said
allegations are also there in view of the disclosure statement
made by the co-accused Prakash and Shiv Kumar. Counsel for
the accused further placed reliance on the judgment of Hon'ble
High Court held in **case Suresh @ Bubby Vs. State, 2011 (3)
JCC 1860** wherein the bail was granted to the accused as no
cogent material was there except the disclosure statement of
the co-accused.

I have carefully perused the chargesheet and also
heard the IO. It is informed that IO had applied for conducting
the Narco/Polygraphy Test of the accused persons but said
application was rejected by Ld. Magistrate vide order dated
06.04.2017. IO concedes to the fact that except the allegations
of offences of Arms Act in the disclosure statement of the co-
accused Prakash and Shiv Kumar, there is no other material

disclosing the involvement of the accused in the commission of the present offence. Even in the disclosure statement, the allegations are only to the effect that weapon of offence i.e. the knife was procured from present applicant.

Keeping into account the facts and circumstances, I am of the view that it is a fit case for grant of bail to the applicant. Accordingly, accused Chander Bhushan be enlarged on bail on his furnishing personal bond in the sum of Rs.25,000/- with one surety of the like amount.

Copy of the order be given dasti.

(Sunena Sharma)
Addl. Sessions Judge-03(S)
Saket Courts, New Delhi/20.04.2017