

**In the Court of Sh. Daljit Singh Ralhan, Additional Sessions Judge,
Amritsar. (UID No. PB0198)**

Case No. BA /1616 / 2021
CNR No. PBAS010040202021
Date of Institution : 24.03.2021
Date of order : 07.04.2021

State	Versus	Ram Hazari S/o Sh. Ram Pal, R/o Sarai Chandel, P.S. Subeha, Tehsil Hydergarh, District Bara Banki (UP) presently residing at House No. 65, Anand Avenue, Amritsar
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FIR No. 09, Dated 16.01.2019
U/s 302 IPC, P.S. Ranjit Avenue, Amritsar.

Present: Sh. V.P. Singh Bhatia, Advocate, Counsel for applicant.
Ms Anju Sharma, Addl. P. P for the State

ORDER

This order of mine will dispose of regular bail application filed by accused-applicant in case FIR No. 09, Dated 16.01.2019, U/s 302 IPC, P.S. Ranjit Avenue, Amritsar on the averments that accused-applicant is innocent. He has been falsely implicated in the present case. Three material witnesses have not supported the case of the prosecution. Applicant-accused is in custody since 17.01.2019. Conclusion of trial will take considerable time. No useful purpose would be served by detaining the accused-applicant in custody.

2. Notice of the bail application given to State. Ld. Addl. PP for the State appeared and opposed the bail application. Record was summoned.

3. Ld. Counsel for the accused-applicant pressed bail on the ground that accused-applicant has been falsely implicated in the present case. He further contended that three material witnesses have not supported the case of the prosecution. He further contended that trial of the case will take long time. No useful purpose would be served by detaining the applicant-accused in custody.

4. On the other hand, ld. Addl.PP refuted above contentions on the ground that accused-applicant has committed the murder of Manoj Kumar. Offences are serious and prayed for dismissal of bail application.

5. After hearing respective contentions and perusal of the record reveals the fact that present case was registered on the statement of Complainant Seema to the effect that she is house wife and her husband Manoj Kumar work as Mason. On 15.01.2019 at about 7:00AM, her husband alongwith Babu Ram went somewhere and did not return. She alongwith her son-in-law Mangal Singh went in search of her husband and when they reached near the Verka Booth of Ranjit Avenue B-Block at about 7.00 PM, Ram Hajari was quarreling with her husband and Babu Ram was trying to save him. Ram Hazari gave blow at the head of her husband with his grass cutter scissor held in his hand, as a result of which her husband fell down and Ram Hazari fled away. Her husband was taken to hospital, where he died.

6. As per prosecution version, applicant-accused has committed murder of Manoj Kumar. Main contention of the ld. Counsel for the

applicant is that complainant and two other witnesses while appearing in the witness box have not supported the case of the prosecution and they have been declared hostile. Perusal of main file reveals that Seema complainant appeared in the witness box as PW1, Mangal Singh appeared in the witness box as PW2 and Babbu appeared in the witness box as PW3. They have been declared hostile on the request of Id. Addl. PP for the State. It is apparent that accused while in custody have a such influence that he got the these witnesses to turn hostile. If applicant-accused is released on bail, he will create hindrance in the trial and will induce and threat the witnesses. Taking into consideration the facts and circumstances, gravity of offence and seriousness of the allegations, this Court is of considered view that accused-applicant does not deserve concession of bail. Consequently bail application moved by accused-applicant Ram Hazari is hereby dismissed. Record be returned and record of bail application be attached with main file.

Pronounced.
07.04.2021.

(Daljit Singh Ralhan)
Addl. Sessions Judge, Amritsar.
UID No. PB0198