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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 911/2016**

SANJAY @ NEPALI

..... Petitioner

Represented by: Ms. Divya, Adv. for Mr. Ajay
Verma, Adv.

versus

STATE

..... Respondent

Represented by: Mr. Amit Ahlawat, APP with
Insp. Anuj Aggarwal PS
Dwarka South.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

07.11.2016

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By the present petition the petitioner seeks bail in case FIR No. 110/2011 under Sections 302/201/394/397/411/34 IPC registered at PS Dwarka South.

As per the prosecution a PCR call was received on 5th May 2011 informing that a Police Officer was lying unconscious at DDA Park near Mata Mandir, Sector-1 Dwarka. On reaching the spot he was found smeared with blood and there were injuries on his neck. The injured was found to be HC Kailash who had been murdered and his services pistol with 5 live cartridges, purse and mobile phone were found missing. His motor-cycle

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was found at a slight distance from where the dead body was lying and signs of struggle were evident.

During the course of investigation Rakesh @ Dhobi co-accused was arrested who disclosed about the incident wherein the petitioner was also involved. The petitioner appears to be one of the assailants who inflicted knife injury on the neck of the deceased. At the instance of the petitioner the knife, screwdriver and remains of burnt blood stained clothes were recovered. The petitioner is involved in six other cases and even trial has progressed as out of 53 witnesses 43 witnesses have already been examined.

Considering the facts noted above I do not find it to be a fit case for grant of bail. Petition is dismissed.

Copy of the order be communicated to the petitioner through Superintendent Tihar Jail.

MUKTA GUPTA, J.

NOVEMBER 07, 2016
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