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

+ BAIL APPLN. 1618/2017

RISHABH CHAUHAN @ SHIBU

..... Petitioner

Through: Mr. Sunil Upadhyaya, Advocate.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Tarang Srivastava, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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14.11.2017

The petitioner seeks bail on the ground that he has been falsely implicated in the case concerning abduction and death of the minor. His counsel submits that only link which is apropos the petitioner is a car in which the minor was abducted; the car no. DL-3378 was identified by eye witness- schoolmate of the deceased. however, this vehicle is nowhere linked with the case because the police has relied upon another vehicle i.e. DL3CAW9076 which belongs to the petitioner. The learned counsel for the petitioner further submits that the latter vehicle was actually planted and has no connection with the one which was seen by the eye witness.

The learned counsel for the State submits that although the eye-witness had deposed of seeing the first vehicle bearing no. DL-3378 nevertheless the blood strains were found in the latter vehicle which has found corroboration in forensic examination and it is this latter vehicle which is owned by the father of the petitioner and was released to him on superdari. Therefore, there is a direct nexus of the petitioner with the crime.

The petitioner's application for bail was denied by the learned Additional Sessions Judge by his order dated 21.07.2017 on the ground that nature and seriousness of the offence, nature and character of evidence, circumstances peculiar to accused, possibility of presence of accused and reasonable apprehension of the witnesses being tampered with are to be kept in view. This Court is too of the same view.

The learned counsel for the respondent also submits that the prosecution has led evidence linking currency notes which were apparently recovered in the presence of the witnesses. In the aforesaid circumstances, bail is denied.

The petition is dismissed.

NAJMI WAZIRI, J

NOVEMBER 14, 2017

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