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

+ **BAIL APPLN. 2128/2015**

RAMNATH CHOUDHARY

..... Petitioner

Through : Mr.Prasoon Kumar, Advocate with
Mr.Iram Majid, Advocate.

versus

STATE (NCT) OF DELHI

..... Respondent

Through : Mr.Amit Gupta, APP.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **18.03.2016**

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.205/2013 registered under Sections 302/34 IPC at PS Bhalswa Dairy. Status report is on record.
2. Counsel for the petitioner urged that the petitioner is in custody since 28.07.2013. He had taken the victim to the hospital. No reliance can be placed on the testimony of the wife of the deceased as she did not take him to the hospital. Main role has been attributed to the co-accused - Kundan. Learned APP informed that the deceased's wife could not accompany him to the hospital as she was pregnant.
3. The petitioner along with his associates was named in the FIR. Specific role was attributed to them whereby the victim was thrown

from the roof as a result of which he died instantly at the spot. In her Court statement as PW-1, the victim has supported the prosecution and has assigned a specific role to the petitioner.

4. Considering the gravity of the offence and serious allegations against the petitioner, no sufficient ground for grant of bail. The bail application is dismissed.

5. Trial Court record be sent back immediately through 'Special Messenger'.

S.P.GARG, J

MARCH 18, 2016 / tr