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

+ **BAIL APPLN. 714/2017**

AVINASH @ SUNNY

..... Petitioner

Represented by: Mr. Anan Khan, Mr. Anirudh
Tanwar, Advs.

versus

THE STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
Insp. Anwar Khan PS Jaitpur.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

24.04.2017

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By this petition the petitioner seeks interim bail on the ground of marriage of his younger brother fixed on 28th April, 2017. The petitioner is allegedly involved in FIR No.85/2014 under Sections 302/307/120B IPC registered at PS Jaitpur on the complaint of Ajit Kumar Mishra the eye-witness whose parents and brother were shot dead.

As per the prosecution case Bir singh and Sachin the main accused came in the car driven by the petitioner and also fled away from the scene of occurrence in the car driven by the petitioner. During the course of trial, four witnesses have been examined, however cross-examination of Ajit Kumar Mishra is still going on and has not been concluded.

Considering the seriousness of the allegations this Court is not inclined to grant interim bail to the petitioner. However since factum of

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marriage of the brother of the petitioner has been verified and it has also been verified that in the family of the petitioner besides his widow mother no first family member is available except the brother whose marriage is to be performed, this Court deems it fit to pass orders to enable the presence of the petitioner at the time of marriage ceremony.

Consequently, the Superintendent Tihar Jail is directed to take the petitioner in custody with escorts in plain clothes on 28th April, 2017 from 4.00 PM till 12.00 PM and would bring him back to Tihar Jail immediately thereafter to enable the petitioner to attend the marriage of his brother.

Petition is disposed of.

Order dasti and a copy of this order be also sent to the Superintendent Tihar Jail for necessary action.

MUKTA GUPTA, J.

APRIL 24, 2017
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