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

+ **BAIL APPLN. 1853/2016**

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..... Petitioner

Through: Mr. Nitin Rai Sharma, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Dr. M.P. Singh, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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24.05.2017

The petitioners seeks bail in connection with FIR No.364/2008 dated 05.07.2008 (P.S. Sangam Vihar) which was instituted for offences under Sections 302, 216, 120B and 34 of the IPC read with Sections 25 and 27 of the Arms Act.

Though the petitioner was not named in the FIR but later, his name transpired on the statement of one Mr. Amit Yadav. The petitioner along with others is said to have fired at the deceased, Sonu Sardar. It further appears that the petitioner was declared a PO on 08.10.2008. Two other accused persons of this case were killed in an encounter whereas the others are facing trial.

In the trial, out of 37 cited witnesses, 33 witnesses have been examined by now. It appears that the trial is at fag end.

Learned counsel for the petitioner has submitted that on several dates, the prosecution witnesses either did not come or were not examined.

Dr. M.P. Singh, learned APP submits that the coercive steps have been taken against two of the witnesses, who are to be examined shortly.

Taking into account the accusation against the petitioner and the fact that the trial is at the fag end, this court is not inclined to grant bail to the petitioner.

The petitioner is said to be in custody for 8 years. It is expected that the trial would be expedited and would be concluded in the near future.

The application is disposed of with the above observation.

ASHUTOSH KUMAR, J

MAY 24, 2017

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