

\$~8

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ BAIL APPLN. 2151/2017  
BHIM SINGH @ BABBLE ..... Petitioner  
Through: Ms. Kavita Agrawal, Adv.  
versus

STATE GOVT OF NCT OF DELHI ..... Respondent  
Through: Ms. Meenakshi Dahiya, APP with  
Insp. Rishi Pal Singh, SHO/Shalimar  
Bagh.

**CORAM:**  
**HON'BLE MR. JUSTICE A.K. PATHAK**

**ORDER**  
% **30.11.2017**

Learned counsel for the petitioner submits that the whole case is based on circumstantial evidence. As per the prosecution, deceased was last seen with the petitioner. The other circumstantial evidence as propounded is the recovery of *desi katta*, however, no empty cartridge was recovered from the spot nor any bullet was recovered from the dead body of the deceased. Thus, mere recovery of weapon would not be sufficient to prove the use thereof to commit murder of deceased. As regards last seen evidence, it is submitted that both the witnesses, who are sisters of deceased, have not supported the prosecution. Petitioner is in custody for the last more than one year. Petitioner may be admitted to bail.

Learned APP has opposed the grant of bail to petitioner. She submits

that recovery of *desi katta* is sufficient to show the involvement of petitioner in the murder of deceased more so when post-mortem report shows that deceased died due to gun short injury.

Keeping in mind the facts and circumstances of this case as detailed above, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms.

Dasti.

**A.K. PATHAK, J.**

**NOVEMBER 30, 2017**

ga