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

+ CRL.M.C. 168/2017

STATE

..... Petitioner

Through: Ms. Neelam Sharma, APP for Dr.
M.P. Singh, APP along with Insp.
Vijay Kumar, P.S. New Usman Pur.

versus

AKIL AHMAD

..... Respondent

Through: Mr. Sanjay Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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29.10.2018

After 10 months of incarceration respondent was admitted to bail by the trial court vide order dated 02.04.2016. Aggrieved by this order, petitioner-State has preferred this petition under Section 439(2) Cr.P.C. seeking cancellation of bail. Trial court has noted that respondent was aged about 62 years and in judicial custody from 11.06.2015.

Learned counsel for the respondent submits that all the witnesses have already been examined. Prosecution has already closed evidence on 07.03.2018 and the matter is at the stage of recording of statement of accused under Section 313 Cr.P.C. There is no eye witness to the incident, inasmuch as, whole case is based on circumstantial evidence. Respondent is on bail for the last two years and it is not the case that he has misused the

concession of bail. In these circumstances, I do not find any reason to interfere with the impugned order whereby respondent has been admitted to bail.

Petition is dismissed.

A.K. PATHAK, J.

OCTOBER 29, 2018
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