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

+ **BAIL APPLN. 1050/2018**

MAHENDER KATARIA Petitioner

Through Mr. Rishi Pal Singh, Adv

versus

THE STATE (GOVT OF NCT OF DELHI) Respondent

Through Ms. Aasha Tiwari, APP for State
SI Surender, PS Begumpur

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **06.09.2018**

Learned counsel for petitioner submits that petitioner has not been identified by the sole eye witness PW-7 Vishal. He further submits that nothing was recovered from the petitioner. Petitioner is in custody since 23rd June, 2015.

Learned APP submits that a CCTV Footage was taken from neighbour of petitioner and in the CCTV footage petitioner was seen going out of his house along with co-accused and at that time co-accused was having an axe in his hand.

Learned counsel for the petitioner submits that PW-3 has admitted in his cross examination that said persons were in muffled face. The axe was sent to FSL but the blood on the axe did not match with the blood sample of deceased.

Petitioner is in custody for more than three years. Accordingly, keeping in mind the totality of facts and circumstances, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- with one surety in the like amount to the satisfaction of the trial court.

Application is disposed of in the above terms.

Dasti.

A.K. PATHAK, J

SEPTEMBER 06, 2018

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