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

+ **BAIL APPLN. 555/2017**

JAGAN NATH @ RAJU

..... Petitioner

Represented by: Mr. Azhar Qayum, Adv.
DHCLSC.

versus

STATE

..... Respondent

Represented by: Mr. Hirein Sharma, APP with
SI Ramphal Singh PS J.P.
Kalan.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

11.01.2018

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By this petition the petitioner seeks bail in case FIR No. 177/2015 under Sections 302/34 IPC registered at PS Jaffarpur Kalan.

The above-noted FIR was registered after an information regarding stabbing of a person near Shiv Mandir was received on 29th August, 2015 which was recorded vide DD No.4A at point 5.0 AM at PS Jaffarpur Kalan. When SI Mukesh with staff reached he found Naresh @ Tony S/o Om Prakash lying in a pool of blood. He found pool of blood and the injured Naresh @ Tony had been taken for treatment by PCR. On reaching the hospital SI Mukesh recorded statement of Kanta who stated that on 29th August, 2015 at 12 AM two persons namely Jagmohan and petitioner who were there neighbours were quarrelling and abusing each other. On seeing

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this another neighbour Rajender went there to pacify them. After some time she heard the voice of a scream and found that Rajender was holding his neck with both his hands and blood was oozing out. Rajender was saying that Jagmohan and petitioner had attacked on him with knife.

Statement of Kanta and Lokesh the two material witnesses have been recorded. Though Lokesh has not supported the prosecution, however on confrontation by the learned APP, Kanta stated that the deceased told him that one of the assailants was petitioner. Further as per the DNA finger printing report the blood found on the shirt of the present petitioner and the knife matched with the blood of the deceased. At this stage this Court finds no ground to grant bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

JANUARY 11, 2018
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