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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ BAIL APPLN. 1647/2018
NIMAKAT ALI

..... Petitioner

Through: Mr. R.P. Luthra and Mr. Sourabh Luthra,
Advs.

versus

STATE

..... Respondent

Through: Mr. Rajat Katyal, APP for State.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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01.11.2018

The petitioner seeks bail. He has been incarcerated since 12.12.2014. He is a co-accused in murder of one Mr. Ajeet Kumar Goel. According to the petitioner he is arrayed as a co-accused on the basis of the last seen testimony of the daughter of the deceased when she had visited him in the evening prior and had seen the accused standing across the street along with the other co-accused.

It is the petitioner's case that the daughter and the father were living separately for many years and there was hardly any communication between them. It is a matter of doubtful coincidence that she happened to visit her father at the said time and would have noticed the petitioner and the co-accused across the street, which is otherwise busy street in the evening.

Mr. Rajat Katyal, the learned Additional Public Prosecutor for the State opposes the petition on the ground that finger print of the petitioner has been found at the site of the crime and the same has been

corroborated through the forensic examination, therefore, his involvement in the crime is clearly made out.

All public witnesses have been examined. The appreciation of evidence would be at the subsequent stage.

In the circumstances, the petitioner is granted bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with two sureties of the like amount to the satisfaction of the Trial Court, concerned, subject to the following conditions:-

- (i) the petitioner will regularly appear on each and every date of hearing to be fixed by the Trial Court concerned;
- (ii) the petitioner will not try to influence, contact or meet the complainant and prosecution witnesses in any manner;
- (iii) the petitioner will not leave the country without prior permission of the Court and the passport, if any, shall be deposited with the Trial Court concerned; and
- (iv) in case of change of his new address or contact number, the petitioner will promptly intimate to the SHO/IO of the case and intimate the Trial Court.

The petition stands disposed-off in the above terms.

Nothing stated in this order shall be deemed to be an adjudication on the merits of the case.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J

NOVEMBER 01, 2018/acm