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

+ **BAIL APPLN. 1461/2017**

ASHOK NAGAR

..... Petitioner

Through : Mr.G.S.Sharma with Mr.R.A.Sharma,
Advocates.

versus

STATE GNCT OF DELHI

..... Respondent

Through : Mr.Ravi Nayak, APP.
Insp.Vijay, PS Vivek Vihar.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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10.04.2018

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.192/2013 registered under Sections 302/364/201/120B/34 IPC and Sections 25/27 Arms Act at PS Vivek Vihar, Delhi. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. Case of the prosecution is based upon circumstantial evidence. PW-10 (Kamruddin Shakib) has specifically deposed regarding the circumstance of last seen. The prosecution has also relied upon certain recoveries effected at the instance of the petitioner and co-accused Vipin. Allegations against the petitioner and co-accused are serious whereby they allegedly in pursuance of

conspiracy committed murder of Anil Kumar from whom the petitioner had borrowed ₹3 lacs.

3. Certain discrepancies and inconsistencies pointed out by the learned counsel in the testimonies of the prosecution witnesses are not relevant to be taken into consideration at the stage of consideration of the bail application. It has come on record that out of 38 witnesses, 34 have already been examined. The case is at its fag end.

4. Considering the gravity of the offence and serious allegations against the petitioner and co-accused who continues to be in custody, no sufficient ground for grant of bail to the petitioner at this stage. The bail application is dismissed.

5. Observations in the order shall have no impact on merits of the case.

S.P.GARG, J.

APRIL 10, 2018 / tr