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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 2627/2018 & CrI.M.A. 35668/2018
MANISH Petitioner

Through: Mr. Farooque Raza, Adv.

versus

THE STATE OF NCT OF DELHI Respondent
Through: Mr. Amit Ahlawat, APP for the State
with SI Kamal Kumar, PS Okhla
Industrial Area.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **02.11.2018**

The involvement of the petitioner in the offence under Section 302/34 IPC which is subject matter of case arising out of FIR no. 874/2015 of police station Okhla Industrial Area, has been brought out during the ongoing trial through the testimonies of Vijender (PW-4) and Anil Kumar (PW-10). There is evidence showing that it was the petitioner who had used a stone to hit on the head of the victim who died in the consequence of injuries suffered. Merely because one of the eye witnesses namely Akash (PW-3) has turned hostile and has not supported the case of the petitioner would not mean the evidence of PW-4 or PW-10 is to be discarded.

In the given facts and circumstances and having regard to the present stage of the proceedings, no case is made out for release of the petitioner on bail.

The petition and the application filed therewith are dismissed.

R.K.GAUBA, J

NOVEMBER 02, 2018/nk