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

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Judgment delivered on: 05.12.2018

+ **BAIL APPLN. 2835/2018**

AMAN @ RAJJI

..... Petitioner

versus

STATE

..... Respondent

Advocates who appeared in this case:

For the Petitioner :

Mr. Yusuf Khan with Mr. A.S. Gissa,
Advocates

For the Respondent :

Ms. Kusum Dhalla, APP for the State.
Insp. Mukesh Kumar, PS Dwarka
South.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

05.12.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A. 48581/2018 (exemption)

Exemption is allowed subject to all just exceptions.

BAIL APPLN. 2835/2018

1. Petitioner seeks interim bail for one week in FIR No.107/2018 under Sections 302/34 IPC, Police Station Dwarka, South on the ground of marriage of his sister.

2. Status report has been filed. The same is taken on record.
3. The allegations against the petitioner are that the petitioner had murdered the deceased by stabbing him while the co-accused held him. The motive is alleged to be that the deceased was having an illicit relation with his mother and was eyeing his sister.
4. Learned counsel for the petitioner submits that though the murder took place at a public street in front of a mall and a *Mazar*, no eyewitness has been joined by the prosecution in the investigation. He submits that the petitioner is sought to be connected with the offence on the basis of an alleged recovery of blood-stained knife and blood-stained clothes of the petitioner, which are alleged to have been recovered from his house based on his alleged disclosure statement.
5. Learned counsel for the petitioner submits that the recovery of the clothes as well as the knife is suspect. He further submits that no fingerprint has been lifted from the knife to connect the petitioner with the knife allegedly used in the incident.
6. Status report confirms the marriage of the younger sister of the petitioner, which is to be solemnized on 13.12.2018 with the functions commencing from 10 am on 10.12.2018.
7. Keeping in view of the totality of facts and circumstances of the case, I am of the view that the petitioner is entitled to be released on interim bail for a period of one week from the date of his release.

8. On petitioner furnishing a bail bond in the sum of Rs.50,000/- with two sureties of the like amount to the satisfaction of the Trial Court, the petitioner shall be released on interim bail for a period of one week from the date of his release. Petitioner shall not do anything which may prejudice either the trial or the prosecution witnesses. The petitioner shall also report to the SHO Dwarka, South on every alternative day commencing from 11.12.2018 till the date he surrenders. The petitioner shall surrender to the concerned Superintendent, Jail on expiry of the period of one week of his release.
9. The petition is disposed of in the above terms.
10. Order *Dasti* under the signatures of the Court Master.

DECEMBER 05, 2018
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SANJEEV SACHDEVA, J