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

+ **BAIL APPLN. 2261/2018**

BIR SINGH

..... Petitioner

Through Mr Mohd Adil, Advocate.

versus

STATE

..... Respondent

Through Ms Meenakshi Chauhan, APP for State
With Inspt. Aman Khan, P.S. Jaitpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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27.08.2019

1. The present application has been filed, *inter alia*, praying that regular bail be granted to the applicant in FIR No. 85/2014 registered under Sections 302, 307, 120B and 109 of the Indian Penal Code, 1860 (IPC) read with Section 34 of the IPC and Sections 5, 8, 25, 27 and 30 of the Arms Act, 1959 at P.S. Jaitpur.
2. The allegations against the petitioner are serious. It is alleged that the petitioner had shot at three persons. It is also alleged that the petitioner had attempted to shoot another person from the same family who had escaped by hiding inside the house. There are eyewitnesses to the said incident. The principal eyewitness (who is alleged to have escaped by hiding himself inside the house) has narrated the incident in some detail. He has also alleged that the petitioner and other accused were waiting in a vehicle and had opened fire on the deceased, which indicates that the accused had

planned the offence.

3. A status report has been filed which indicates that there are a total number of fifty prosecution witnesses out of which, thirty-three are police witnesses and seventeen are public witnesses. In all, eight prosecution witnesses (five from the police and the three from public) have been examined. The next date for recording of evidence is fixed for 13.09.2019 and two prosecution witnesses have been summoned by the Trial Court on that date.

4. Since the material witnesses are yet to be examined and the charges made against the petitioner are serious, this Court does not consider it apposite to accede to the petitioner's request for bail at this stage.

5. The application is, accordingly, dismissed.

VIBHU BAKHRU, J

AUGUST 27, 2019

pkv