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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: February 17, 2020

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BAIL APPLN. 453/2020 and CRL.M.A. 3498/2020

ROSHAN @ JIKI

..... Petitioner

Through Mr. Vineet Jain, Advocate

versus

THE STATE

..... Respondent

Through Mr. Raghuvinder Varma,
Additional Public Prosecutor for
the State

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI
JUDGMENT

BRIJESH SETHI, J (oral)

Vide this order, I shall dispose of the anticipatory bail application filed under section 438 Cr.P.C. by the petitioner-Roshan @ Jiki in FIR No. 26/2020 under Section 33(f) of Delhi Excise Act, Police Station Ranjit Nagar.

Ld. Counsel for the petitioner has prayed for anticipatory bail on the ground that petitioner is innocent and has been falsely implicated in the present case. The petitioner was only sitting on the recovered sack which was found to contain illicit liquor.

Learned Additional Public Prosecutor for the State has opposed the

anticipatory bail application on the ground that there are allegations of petitioner selling illicit liquor on 26th January, 2020, which is a dry day and three sacks of illicit liquor was recovered. Learned Additional Public Prosecutor for State has placed on record Previous Conviction Involvement Report and submits that petitioner is a habitual offender and is involved in the following three more cases:

- i) FIR No. 0353/2014 under Sections 363/363A/368/370(4)/34 IPC, registered at police station Ranjit Nagar.
- ii) FIR No. 0457/2004 under Sections 25/54/59 Arms Act, registered at police station Kirti Nagar.
- iii) FIR No. 0572/2011 under Sections 399/402 IPC and 25/54/59 Arms Act, registered at police station Kirti Nagar.

I have considered the rival submissions. Keeping in mind the facts of the case and previous involvement of the petitioner in other cases, no grounds for anticipatory bail are made out. The bail application is, therefore, dismissed.

भारतमेव जयते

(BRIJESH SETHI)
JUDGE

FEBRUARY 17, 2020
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