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

+ **BAIL APPLN. 2006/2024**

RAJNISH ALIAS BANTU

.....Petitioner

Through: **Mr. Manish Pratap Singh, Advocate.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Ms. Richa Dhawan, Ld. APP for
State.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

02.08.2024

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1. Second Bail application under Section 439 Cr.P.C has been filed on behalf of the petitioner Rajnish Alias Bantu in case FIR No.468/2019 under Section 365/302/201/34 IPC and Sections 25/27 Arms Act registered at Police Station Shahbad Dairy.

2. The allegations against the petitioner are in regard to kidnapping and murder of two persons. The charges have been framed and testimony of some witnesses have been recorded. The petitioner has sought bail on the ground that the complainant has turned hostile. The second public witness has also failed to support the case of the prosecution. It is further submitted the evidence collected by the prosecution is contradictory and not sufficient to prove the case against the petitioner. The matter is pending since last five years and the petitioner is incarcerated in jail. The trial may take long and



therefore, the bail is sought.

3. **Learned Prosecutor has** pointed out that the complainant has only been partly recorded and his evidence is yet to be concluded. It is further stated that there is other independent evidence by way of FSL incriminating against the petitioner. It is also submitted that there are other public witnesses who are yet to be recorded. It is also pointed out that his propensity to commit offence is evident from the fact that there is previous involvement of the petitioner in seven cases though he has been given benefit of doubt and acquitted in five of those case. It is also pointed out that the grounds on merits which have been agitated in this petition, have already been considered and the Regular Bail has been denied by this Court vide Order dated 17.01.2023.

4. **Submissions heard.**

5. The Charges against the petitioner are of kidnapping and murder of two persons. The trial is still ongoing. The earlier Bail Applicatin by the Court has been already dismissed on 17.01.2023. The trial may take some time, but looking at the gravity of the offence and that some public witnesses and other connected witnesses are yet to be recorded, no ground is made out for grant of regular bail.

6. The application is hereby dismissed.

NEENA BANSAL KRISHNA, J

AUGUST 2, 2024/va