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

+ **BAIL APPLN. 823/2025**

ARVIND YADAV

.....Petitioner

Through: Dr. Amarendra Pratap Yadav & Mr.
Alok Singh, Advocates

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Aman Usman, APP with
Inspector Jagdish Rai & W/SI
Neelam, both from PS AVRS

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

21.04.2025

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1. This is an application for grant of regular bail filed on behalf of the applicant/accused Arvind Yadav in case FIR No. 15/2023, under Section 302/201/34 IPC, PS Anand Vihar Railway Station.

2. Learned counsel appearing for the petitioner submits that applicant is a young man, aged about 25 years, having no criminal antecedents. It is submitted that upon the death of the daughter of the applicant, applicant was granted interim bail but he did not misuse the grant of liberty and complied with the conditions of the interim bail. Learned counsel further submits that applicant is the sole bread earner of his family, comprising of his wife and son, who are living in a miserable condition and there is no one to look after them. It is also submitted that applicant has been in custody for the last about two years and the trial not likely to conclude in near future.



3. Bail application has been opposed by the learned Additional PP arguing that petitioner is accused of murder of his brother in law by strangulating him with a twig of Giloy plant and the ligature material has been recovered at the instance of the present applicant. He further submits that before the incident, the petitioner along with the victim and the JCL took beer. The finger prints on the beer cans match with the finger prints of the applicant/accused. He further submits that there is a last seen witness whose testimony has been recorded in the court and he has supported the prosecution case. Besides the aforesaid, there is also CCTV footage which shows the deceased alive in the company of the petitioner and the JCL just prior to the occurrence.

4. As per the prosecution version, the body of one Mohit was recovered with ligature mark on his neck from the railway track. During investigation, the police recorded the statement of wife of the victim, who stated that about few days before the incident, the victim had gone to Noida to ask for money from his mother and after returning, he told her that a scuffle and quarrel had taken place with the petitioner, who is his brother in law. She further stated that on 09.05.2023, a boy named Shekhar came at her house along with her husband on the motorcycle of her father in law. The deceased told her that he has to make some conversation with the petitioner and that they all (JCL and applicant Arvind) will come back home later. Thereafter, her husband and Shekhar went back on the same motorcycle, however, her husband did not return home in the night.

6. Status Report reveals that during investigation, upon sustained interrogation, petitioner confessed his guilt and on his pointing out, three beer cans were recovered near the scene of crime. Finger prints on the beer



cans were lifted and sent to Finger Print Expert for finger print matching. The report confirms that the chance prints on the beer cans match with the finger print of the applicant. The ligature material i.e. Giloy Bel used as a weapon, has also been recovered at the instance of the petitioner.

7. As per status report, petitioner and deceased were seen roaming near Dhobi Ghat, which is stated to be at a distance of 20-25 meters from the scene of crime. The CCTV camera installed outside a temple near Dhobi Ghat was checked and it was found that applicant along with the JCL and deceased were seen coming and going on 09.05.2023 at around 20:56 hours to 20:59 hours.

8. The evidence collected during the investigation points out that deceased was last seen alive in the company of the petitioner. The allegations qua the present petitioner/accused are grave and serious in nature. Petitioner being in custody for a long period, cannot be the sole ground for grant of bail.

9. Keeping in view the entire facts and circumstances and in particular, the nature and gravity of allegations, severity of punishment and the evidence collected during investigation, I am not inclined to grant bail to the petitioner/accused at this stage.

10. The application is therefore dismissed.

RAVINDER DUDEJA, J.

APRIL 21, 2025

RM/ IA