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

+ **BAIL APPLN. 3506/2021**

ASHISH

..... Petitioner

Represented by: Mr. Jagdev Singh, Advocate with
Mr. Anil Naagar, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Represented by: Mr. Amit Mahajan, SPP with
Mr. Rajat Rain, SPP & Mr. Dhruv
Pande, Advocate for the State & Insp.
Pradeep Kumar, Crime Branch.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.12.2021

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1. By this petition the petitioner seeks regular bail in case FIR No.0058/2020, under Sections 147/148/149/153A/302/365/326/395/120B IPC, registered at PS Karawal Nagar.

2. As per the abovenoted FIR information was received that a mob was assaulting the people near Shiv Vihar Masjid and throwing them in *Nala*. Body of a 45 years old person lying unconscious was recovered who had deep injuries on the face and when he was taken to the hospital, he was declared brought dead. The person who was killed was identified as one Suleman and one more person Sanobar was also found injured near Sri Ram Chowk, Ambika Vihar. CCTV footages were collected and statements of Sanobar and Sunil were recorded. In the statement recorded Sanobar stated that he along with Suleman, Aditya, Mamur, Arsad, Arif, Kasim and Sunil,

etc. were working with the contractor Yusuf. After the riots on 26th February, 2020 when they were going to village he along with Sunil, Mamur and Suleman reached near T.B. Hospital around 8:00 a.m. and was going to Loni Bus stand. While walking before Lal Bagh Mandi near Maa Bhagwati Memorial Public School, 30-40 people were standing with rods and sticks in their hands, who caught all four of them. Those persons asked their IDs and when they showed IDs they told Sunil to run away from there. Mamur was a little behind and on seeing this he ran away. Sunil stated to the mob that he has come along with Sanobar and Suleman and will go with them. Those people assaulted Sunil and pushed him and thereafter they caught hold of Sanobar and Suleman and injured them with iron rods and sticks. Sanobar got unconscious and later he got to know that Suleman, who was also beaten in his presence died.

3. This version of Sanobar was also stated by Sunil. Both Sanobar and Sunil identified the petitioner as one of the persons in the CCTV footage who was behind Suleman, who was beaten, taken away and thrown in the drain.

4. Considering the statements of the eye witnesses as also the CCTV footage, this Court finds no ground to grant bail to the petitioner.

5. Petition is dismissed.

6. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

DECEMBER 13, 2021

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