

IA No. 03/2024
SC No. 263/2023
State Vs. Nitin Kumar
FIR No. 01/2023
PS Gazipur
U/s 302/34 IPC

08.08.2024

File has been taken up today on the application moved under Section 439 Cr.PC, seeking bail of the accused Nitin Kumar.

Present:- Sh. S.K. Tripathi, Ld. Addl. PP for the State.
Sh. S.S. Pawar and Sh. Purushottam Singh, Ld.
Counsels for the accused/applicant.
IO/SI Sandeep Singh in person.

Reply of the application has been filed.

Counsel for accused has submitted that no other bail application of the accused is pending either before the Hon'ble High Court of Delhi or before any other court; that the accused is innocent and has been falsely implicated in this case; that the accused is in custody since 02.01.2023; that the accused was not involved in the commission of the alleged offence; that the accused had been called by his father at 8.30 pm for giving him the medicine and since then, he did not leave the home until the next day whereas the alleged offence was committed in the midnight; that the accused was lifted from his house on the next day of the commission of the offence; that the accused has clean antecedents and he is not involved in any other case; that in the instant case, prosecution has not cited any eye witnesses; that the accused is the sole bread winner of his family and that no fruitful purpose will be served by keeping the accused in custody and thus, he may be admitted to bail.

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time informing that he was with accused and associates for compromise talks.

In view of above said and considering the fact that public witnesses are yet to be examined in this case, this court is not inclined to admit the accused Nitin Kumar on bail. Accordingly, the instant application stands dismissed.

Put up for purpose fixed on the date already fixed i.e. on 13.08.2024.

Copy of the order be given dasti.

(Subhash Kumar Mishra)
Additional Sessions Judge-03,
East, KKD Courts, Delhi
08.08.2024