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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 855/2017

MANOJ KUMAR

..... Petitioner

Through: Mr. Dinesh Garg, Mr. Kaushal
Kishore Kaushik and Mr. Nishant
Bhardwaj, Advocates.

Versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr. Amit Chadha, Additional Public
Prosecutor for the State with
SI Ashwani Kumar, P.S. Jyoti Nagar.
Mr. Vivek Sharma, Advocate for
Complainant.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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07.11.2017

While granting anticipatory bail to the petitioner on 08.05.2017, this Court passed the following order:-

“ This is an application under Section 438 Cr.P.C. filed on behalf of the petitioner for grant of anticipatory bail in case FIR No. 131/2017, under Sections 308/506/34 IPG, registered at Police Station Jyoti Nagar, Delhi.

Learned counsel for the petitioner submits that the petitioner is an innocent person and has been falsely implicated in the above case. Counsel further submits that the petitioner is apprehending his arrest in the above case from the police officials of Police Station Jyoti Nagar, Delhi. Counsel further submits that the petitioner is ready to join the investigation as and when required to do so and prays that the petitioner may be released on anticipatory bail.

Learned APP for the State and counsel for the complainant vehemently oppose the anticipatory bail application. Learned APP for the State seeks time to file status report. Let the same be filed before the next date of hearing.

In the meanwhile, the petitioner is directed to join the investigation and when required to do so and in the event of his arrest, the petitioner be released on anticipatory bail, on his furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount, to the satisfaction of the IO/SHO concerned, till the next date of hearing.

Re-notify on 13th September, 2017 along with the connected matter.

Copy of this order be given dasti, as prayed.”

Mr. Amit Chadha, the learned Additional Public Prosecutor appearing on behalf of the State, submits that the petitioner has joined the investigation. The counsel for the petitioner submits that the petitioner shall continue to participate in the investigation. Let him to do so.

Upon instruction from the Investigating Officer, the learned counsel for the State submits that the alleged weapon of offence has been recovered.

In the aforesaid circumstances, the said order dated 08.05.2017 is confirmed, subject to the additional conditions that:-

- (i) the petitioner shall not leave the country without the prior permission of the Court;
- (ii) the petitioner's mobile telephone No. 9810300168 shall be operational at all times to facilitate the police to contact him;
- (iii) the petitioner shall make no attempt, directly or indirectly, to contact the complainant or her relatives nor make any inducement, threat or

promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any police officer or tamper with the evidence; and

- (v) the petitioner shall not make any effort to evade the process of law.

Nothing stated in this order shall have any bearing on the merits of the case.

The petition is disposed off.

A copy of this order be given *dasti* to the learned counsel appearing on behalf of the parties.

NAJMI WAZIRI, J.

NOVEMBER 07, 2017

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