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

+ BAIL APPLN. 1623/2017

LALIT KUMAR MEHTO Petitioner
Through Mr. Saurabh Bhargavan and
Mr. Radhey Shyam, Advs.

versus

STATE Respondent
Through Mr. Amit Gupta, APP

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **19.09.2017**

Learned counsel for the petitioner submits that petitioner was working as a domestic servant in the house of the complainant. He was tied by the robbers who were four in number. During the investigation, no independent material evidence has been collected against the petitioner except the disclosure statement of co-accused. It is also not the case of prosecution that petitioner was in regular touch with the robbers on phone. As per the prosecution, petitioner was resident of the same village where co-accused Rajesh was residing. However, this allegation is wrong. Petitioner is resident of a different village, as is evident from his arrest memo. Petitioner is in custody for more than one year. Accordingly, he may be released on

bail.

During the course of hearing, learned APP has failed to point out any independent material collected during the investigation against the petitioner. Except his own disclosure statement and the disclosure statement of co-accused Rajesh, there is no independent material on record against the petitioner. It is noted that nothing has been recovered from the petitioner pursuant to his alleged disclosure statement. Learned APP submits that petitioner was actively involved in the robbery as a serious question arises as to how robbers came to know the appropriate time to enter in the house and commit robbery.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

SEPTEMBER 19, 2017
RB