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

+ **BAIL APPLN. 1739/2017**

SHAMSHAD

..... Petitioner

Through: Mr. Zafar Saddiqui and Mr. Haider
Ali, Advs.

versus

THE STATE

..... Respondent

Through: Ms. Meenakshi Dahiya, APP with SI
Manjeet AATS/South.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.10.2017

Learned counsel for the petitioner submits that nothing has been recovered from the petitioner. The only evidence collected against the petitioner during the investigation is the call detail records according to which, petitioner was in touch with the co-accused Aabid five days prior to the incident and three days after the incident. Co-accused Aabid belongs to the same village and was known to the petitioner. Petitioner has been falsely implicated. There is no evidence against the petitioner that he had participated in the crime and was present with the co-accused persons at the time of commission of dacoity. Petitioner is in custody for more than three months, therefore, he be released on bail.

Learned APP opposes the prayer of grant of bail. She contends that

petitioner had conspired with the co-accused Azeem Ahmad, Dilshad Mohd., Aabid, Rijwan, Naseem Ahmad and Sabhu pursuant thereof dacoity was committed by the aforesaid co-accused persons. Petitioner had provided the details regarding entry and exit points to the main accused. Petitioner was in touch with co-accused Aabid between 5th June to 10th June, 2017 and thereafter from 18th June, 2017 onwards. The dacoity was committed on 15th June, 2017.

Keeping in view the facts and circumstances as detailed above and the role assigned to the petitioner, it is ordered that petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Miscellaneous application is disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

OCTOBER 11, 2017

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