

\$~48

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

+ **BAIL APPLN. 1351/2019**

FIROZ

..... Petitioner

Through: Mr Rahul Kumar, Ms Deval Singh
and Mr Arvind Kumar Gupta,
Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms Kusum Dhalla, APP for State with
Insp. Ratnesh Kumar, ASI Suresh
Kumar, PS New Usmanpur.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **14.11.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that the petitioner be released on bail in sessions case no.153/2018 instituted in connection with FIR No.004/2018 under Section 392/394 IPC, registered with PS New Usmanpur.
2. The allegation against the petitioner is that he is a part of the gang that had looted a tempo, which was carrying spices. It is alleged that the tempo driver suffered injuries on his head and later, succumbed to those injuries.
3. Admittedly, the evidence against the petitioner is circumstantial. It is alleged that a secret information had been received and on the basis of the said secret information, a raid had been conducted on residence of certain slum dwellers and the goods allegedly looted from the tempo were

recovered. The petitioner's father (Jamaludin) is one of the principal accused.

4. All the public witnesses have been examined. Only police witnesses are now required to be examined in this case.

5. It is seen that the petitioner is aged twenty-one years. The petitioner was arrested on 11.01.2018 and has been in custody for almost twenty-two months. Considering the above, this Court considers it apposite to allow the present petition.

6. The petitioner is directed to be released on bail on furnishing a Personal Bond in the sum of ₹20,000/- with two sureties of an equivalent amount to the satisfaction of the trial court. The petitioner shall also not leave the National Capital Territory of Delhi. He shall provide a contact number and ensure that he is reachable on it at all times. The petitioner shall also report to the concerned SHO at 10:30 AM, on every second and fourth Monday of the calendar week.

7. The petition is allowed in the aforesaid terms.

8. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

NOVEMBER 14, 2019
MK