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

+ **BAIL APPLN. 2594/2019**

SUNIL GAUR

..... Petitioner

Through: Mr. Khan Zulfiqar Khan, Advocate

versus

STATE

..... Respondent

Through: Ms. Radhika Kolluru, APP for State with
SI Hemant, P.S. Vasant Kunj

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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05.02.2020

1. The present bail application has been filed under Section 439 seeking bail in FIR No.541/2018 under Sections 307/397/398/34 IPC and Sections 25/27/54/59 Arms Act, 1959 registered at Police Station Vasant Kunj, Delhi.
2. Learned counsel for the petitioner submits that the petitioner has been in judicial custody since 31.10.2018 and till date charge has not been framed for want of FSL report. He submits that as per the FIR, the allegations against the present petitioner are of being present at the place of incident alongwith other co-accused, who allegedly fired the shot.
3. Learned APP for the State, on the other hand, has vehemently opposed the bail application. She submits that the petitioner is seen in the CCTV footage armed with a pistol. It is further submitted that one pistol has also been recovered at the time of arrest. She, however, submits that as per the prosecution case, the shot was fired by the co-accused, Ajab Singh.

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4. In view of the facts and circumstances of the case and the fact that the petitioner is in custody since 31.10.2018, the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the trial court and subject to the following conditions:-

(i) The petitioner will not directly or indirectly make any inducement, threat or promises to the complainant or any witness during the trial or tamper with the evidence.

(ii) The petitioner shall provide the I.O./SHO Police Station Vasant Kunj, Delhi with his mobile phone number and in the event of change of his residential address, shall inform the same to the I.O./SHO.

(iii) The petitioner will remain regularly present before the Trial Court.

5. With the above directions, the bail application is disposed of.

DASTI.

MANOJ KUMAR OHRI, J

FEBRUARY 05, 2020

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