

\$~2.

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ BAIL APPLN. 559/2019 and CRL.M.A. 9354/2019 (extension of bail)  
MUKESH KUMAR BISHNOI ..... Petitioner  
Through: Mr. Anurag Jain and Ms. Ayushi Sharma, Advocates  
versus  
STATE (GOVT. OF NCT OF DELHI) ..... Respondent  
Through: Dr. M.P. Singh, APP for State

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

% **21.01.2020**

1. The present bail application has been filed seeking bail in FIR No.300/2016 registered under Section 302/34 IPC at P.S. Vasant Kunj (North), Delhi.
2. Learned counsel for the petitioner submits that out of the two witnesses cited by the prosecution, Puneet Dixit (PW-6) has not supported the case of the prosecution. He submits that the injured witness, namely, Sam Mohamm is a foreign national and the prosecution has not been able to produce him for recording his testimony. Learned counsel for the petitioner further submits that the petitioner has not misused the liberty of interim bail granted to him.
3. Learned APP for the State, on the other hand, has vehemently opposed the bail application and submits that subsequently charge under Section 174A IPC was added. He submits that the CDR location chart shows the presence of the petitioner at the place of the incident. He also submits that the CCTV footage supports the prosecution case. He, on instructions,

further submits that the witness, Sam Mohamm has left India and presently is not available for deposition, though efforts are being made.

4. Learned counsel for the petitioner submits that the co-accused, namely, Muveen Azad Saifi and Prakash @ Musa have already been released on bail vide order dated 11.09.2019.

5. In view of the facts and circumstances of the case, it is directed that the petitioner be released on bail, subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned trial court and subject to the following conditions :-

(i) The petitioner shall 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./S.H.O. Police Station Vasant Kunj (North), Delhi with his mobile number and in the event of change of his residential address, shall inform the same to the concerned I.O./SHO as well as to the concerned Court.

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

6. With the above directions, the application is disposed of along with the pending application.

7. ***DASTI.***

**MANOJ KUMAR OHRI, J**

**JANUARY 21, 2020/na**

***BAIL APPLN. 559/2019***

***Page 2 of 2***