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

+ BAIL APPLN.733/2020

RAJ BAHADUR alias RAJU	 Petitioner
Through: Mr.Bharat Sharma, Advocate.	
versus	
STATE OF NCT OF DELHI	 Respondent
Through: Dr.M.P.Singh, APP for State along with IO/SI Mahesh Bhargava (M-9910794916), P.S. Kamla Market.	

CORAM:

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI
(VIA VIDEO CONFERENCING)**

ORDER

% **24.08.2020**

CRL. M.A.Nos.11422/2020 & 11423/2020 in BAIL APPLN.733/2020

1. Although, CRL. M.A. 11422/2020 has been filed on behalf of the petitioner seeking extension of interim bail, however, learned counsel for the petitioner submits that since the Bail Appln. No.733/2020 is pending and the Status Reports filed by the State are also placed on record, the main bail application itself may be heard on merits.
2. Accordingly, with the consent of learned counsel for the parties, the main bail application bearing BAIL APPLN.733/2020 is taken up for hearing today itself.
3. CRL. M.A. Nos.11422/2020 & 11423/2020 are disposed of as infructuous.

BAIL APPLN.733/2020

1. The present application has been filed on behalf of the petitioner

seeking regular bail in FIR No.130/2014, registered under Sections 419/420/365/392/207/412/120B/34 IPC at Police Station Kamla Market, Delhi.

2. Learned counsel for the petitioner submits that the petitioner was arrested on 03.05.2014 and since then he has been in custody. He further submits that the prosecution has examined only two eye witnesses in the present case. He has placed reliance upon the testimonies of the two eye witnesses, which are on record, namely, Rishi Chand Yadav and Hira Mehto, however, none of these witnesses have identified the petitioner in the court. He also submits that the entire prosecution evidence is over and the case is at the stage of defence evidence. Learned counsel has also referred to the nominal roll of the petitioner to submit that the petitioner is not involved in any other case and his jail conduct has also been found to be satisfactory. Lastly, it is also submitted that vide order dated 19.05.2020 passed by this Court, the petitioner was released on interim bail and since then, he has not misused the concession granted to him. He thus prays that the petitioner may be released on regular bail.

3. Dr. M.P. Singh, learned APP for the State, on the other hand, opposes the bail application. He submits that the petitioner is a constable in Delhi Police and has been found involved in the present case. He further submits that the petitioner was identified in the TIP proceedings and an amount of Rs.1,45,000/- was recovered at his instance during the investigation.

4. Keeping in view the totality of the facts and circumstances and the fact that the petitioner is in custody since 03.05.2014, the application is allowed and the petitioner is admitted to bail, on 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 Jail Superintendent/Duty M.M./concerned Trial Court, subject to the following further conditions:-

- (i) The petitioner will not leave NCT of Delhi without prior permission of the concerned Court.
- (ii) The petitioner will remain available on his mobile number: 8586082073, which he undertakes to keep operational at all times during the period of trial. In case of change of address of contact details, shall promptly inform the same to the concerned IO/SHO and the Trial Court.
- (iii) The petitioner will regularly appear before the Trial Court.

5. The application stands disposed of accordingly. The date already fixed in the matter as 22.10.2020 stands cancelled and the matter need not be listed on the said date.

6. A copy of this order be communicated to the concerned Jail Superintendent/Trial Court for information and necessary compliance.

MANOJ KUMAR OHRI, J

AUGUST 24, 2020/‘dc’