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

+ **BAIL APPLN. 1539/2020 & CRL.M.A. 8644/2020**

RAJA@RAJABABU

..... Petitioner

Through: Ms. Archana Sharma, Advocate.

versus

THE STATE THROUGH SHO

..... Respondent

Through: Ms. Meenakshi Dahiya, APP.

(M:9953765076)

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **13.07.2020**

1. This hearing has been done by video conferencing.
2. The present petition has been filed seeking regular bail by the Petitioner, who is 19 years old. He has been charged with committing offences under Sections 307/397/411/34 of IPC. The alleged incident involves a robbery and there are two co-accused along with the Petitioner, namely Prabhat @ Ricky and Lakshya @ Rahul. As per the status report, the robbery was done by three persons on a motorcycle. It is also stated that a wallet containing Rs.1100/- and voter ID of the complainant, was recovered from the Petitioner's possession.
3. The main complaint against Rahul and Ricky is that they were guilty of offences under the IPC and also under the Arms Act as one of them i.e., Ricky had in fact fired on Police team and a Pistol along with one Live Cartridge was recovered from him. Ld. counsel for the Petitioner, Ms. Archana Sharma submits that while Ricky, who was the main accused has already been granted regular bail, the bail application of the Petitioner has been wrongly rejected. Ms. Meenakshi Dahiya, ld. APP submits that

substantive evidence in the form of wallet, money and Complainant's voter ID was recovered from the Petitioner, which shows that he was enjoying the fruits of the robbery. She further submits that he was also involved in two other cases, though he has been acquitted for the same.

4. Considering the overall facts and circumstances, and the fact that the main accused in this FIR i.e. Ricky has already been released on regular bail by the Trial Court, as also considering that in the status report, the conduct of the accused in custody is satisfactory, the Petitioner is granted bail subject to him furnishing a personal bond of Rs.5,000/- along with any surety of property etc., from any of his family members/ relatives subject to the satisfaction of the duty Magistrate. Bail is granted subject to the following conditions:

- i. That the Petitioner shall not involve himself in any incident or get in touch with any persons who may be aware of the facts of this case including major prosecution witnesses.
- ii. He shall not tamper with any evidence.
- iii. He shall give his residential address and active mobile number to the IO and shall remain in continuous touch with the concerned IO.
- iv. He shall appear before the Trial Court on each and every date of hearing.

5. The petition is accordingly disposed of, along with all pending applications, in these terms.

6. Copy of this order be sent to the Jail Superintendent, Mandoli Jail.

PRATHIBA M. SINGH, J.

JULY 13, 2020

dj/A