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

+ **BAIL APPLN. 2055/2020**

MUBIN

..... Petitioner

Through **Mohammad Shamikh, Adv.**

versus

THE STATE

..... Respondent

Through **Mr. Saleem Ahmed, SPP with SI Ravi Poonia**

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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25.08.2020

The hearing has been conducted through video conferencing.

1. The present petition has been filed by the petitioner under Section 439 Cr.P.C. for grant of bail in case FIR No.88/2020, for the offences punishable under Sections 147/148/149/307 IPC and Sections 25/27 Arms Act.
2. Learned SPP has opposed the present petition by stating that the petitioner is seen in the CCTV footage having a stick in his hand in Gali No.21 on 25.02.2020 at 05:09 hours. Learned APP further submits that in the present case, there are 7 accused persons and all are in judicial custody and from the co-accused persons swords and dandas have been recovered. The alleged danda which the petitioner was having in his hand has also been recovered.
3. It is not in dispute that the present incident took place in Gali No.2 and Gali No.8 and near Shiv Mandir which is near to Gali No.21. The petitioner was seen in Gali No.21 and the place of incident is around 200 meters from there. This Court perused the CCTV footage and saw that around 15-20 persons were passing through with sticks in their hands and some are without sticks but all the other persons seems

to be in motion and seems to be around 25 years old whereas the petitioner who was at the end is 45 years old.

4. In the present case, charge-sheet has already been filed and the petitioner is in judicial custody since 19.03.2020. Trial of the case shall take substantial time and there would be no purpose to keep the petitioner behind the bars, this Court is inclined to grant bail to the petitioner.

5. Accordingly, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- and with one surety in the like amount to the satisfaction of the Trial Court.

6. The petition is, accordingly, allowed and disposed of.

7. Copy of this order be transmitted to the Jail Superintendent concerned and Trial Court for necessary compliance.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

SURESH KUMAR KAIT, J

AUGUST 25, 2020/rk