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

+ **BAIL APPLN. 178/2024**

RAMAN SAGAR CHOTIYA

..... Petitioner

Through: **Mr. Akash Godhyani & Mr. Ashwath Bhatia, Advs.**

versus

STATE OF NCT

..... Respondent

Through: **Mr. Hemant Mehla, APP for the State with Insp. Muneesh Kumar, P.S. Ambedkar Nagar.**

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

04.04.2024

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1. The present application under Section 439 read with Section 482 of the Cr.P.C. seeks regular bail in case FIR No. 556/2016 under Sections 324/307/302/34 of the IPC and 25/27/54/59 of Arms Act, registered at P.S. Ambedkar Nagar.

2. Learned counsel appearing on behalf of the applicant submits that the latter was granted bail *vide* order dated 05.12.2018 by the learned ASJ. It is submitted that thereafter since the present applicant could not appear during the course of the trial the bail was cancelled and proceedings under Section 82 of the Cr.P.C. were initiated. Learned counsel further submitted that the applicant had surrendered before the Court after being informed about the said proceedings and he was taken into custody on 20.10.2023. It is further submitted that all the witnesses except one have already been examined by the learned Trial Court. It is further submitted that the other accused has



already been granted bail by this Court *vide* order dated 21.01.2021 in BAIL APPL. 2470/2023.

3. Learned APP for the State submits that the applicant had jumped the bail and was not available for trial, therefore, the application is opposed.

4. Keeping in view the fact that the applicant had been granted bail by the learned ASJ on 05.12.2018 and the fact that the witnesses have already been examined, the trial is about to conclude, the application is allowed and the applicant is directed to be released on bail, on his furnishing a personal bond of Rs. 50,000/- with two sureties of like amount, one of which shall be of a family member, to the satisfaction of the learned Trial Court/Link Court, further subject to following conditions:

- i. The applicant shall not leave India without prior permission of the learned Trial Court.
- ii. The applicant shall intimate the learned Trial Court by way of an affidavit and to the Investigating Officer regarding any change in residential address.
- iii. The applicant shall appear before the learned Trial Court as and when the matter is taken up for hearing.
- iv. The applicant is directed to give his mobile number to the Investigating Officer and keep it operational at all times.
- v. The applicant shall report to SHO of the concerned police station on every Friday at 10:30 AM and the concerned officer is directed to release him by 11:00 AM after recording his presence and completion of all the necessary formalities.
- vi. The applicant shall not, directly or indirectly, tamper with evidence or try to influence the witness in any manner.



5. The application is allowed and disposed of accordingly.
6. Pending application, if any, also stand disposed of.
7. Needless to state that nothing stated hereinabove is an opinion on the merits of the case.
8. Copy of the order be sent to the concerned Jail Superintendent for necessary information and compliance.
9. Order be uploaded on the website of this court *forthwith*.

AMIT SHARMA, J

APRIL 04, 2024/nk

Click here to check corrigendum, if any