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

+ **BAIL APPLN. 361/2024**

PARVESH

..... Petitioner

Through: Ms. Sunita Arora, Advocate

versus

THE STATE & ANR.

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State

with SI Sourabh Mabli

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **01.02.2024**

CRL.M.A. 3153/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

BAIL APPLN. 361/2024

1. The present application has been filed under Section 438 of the Cr.PC. seeking anticipatory bail in FIR No. 605/2023 registered under Sections 308/34 IPC at P.S. Vijay Vihar.
2. Learned counsel for the petitioner/applicant submits that the applicant is about 23 years of age and is not involved in offence inasmuch as, as per the CCTV footage, the applicant can be seen not carrying any weapon. As per prosecution, the injuries were allegedly caused by co-accused *Mohit Kohli*, who has already been released on regular bail. Further, application is not involved in any other case.
3. Learned APP for the State, on the other hand, submits that the applicant is the instigator at whose behest the alleged incident took place.



On instructions from the Investigating Officer, it is stated that the injuries were not caused by the present applicant but by the other accused.

4. Keeping in view the aforesaid facts and circumstances, it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹10,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) The applicant shall join the investigating as and when he is asked for.
- (ii) The applicant shall remain available on mobile number: 8882458947, which shall be kept operational at all times during the pendency of the trial.
- (iii) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (iv) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (v) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.

5. The application is disposed of in the above terms.

DASTI.

MANOJ KUMAR OHRI, J

FEBRUARY 1, 2024

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