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

+ **BAIL APPLN. 485/2024**

SUNIL SAINI @ BABU

..... Petitioner

Through: Mr.Pushpinder Singh and Mr.Ravinder
Singh, Advocates

versus

STATE (GOVT. OF NCT OF DELHI) & ANR. Respondents

Through: Mr.Laksh Khanna, APP for State with
SI Biraj Salvi

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.03.2024

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1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.553/2023 registered under Sections 392/394/397/34 IPC at P.S. Sarai Rohilla, North (Delhi), Delhi.
2. Learned counsel for the applicant submits that only role assigned to the present applicant is that of being a pillion rider. He submits that the applicant is neither involved in hitting the complainant nor in robbing him of his money. He further submits that the applicant has been in custody since 27.07.2023 and that he is not involved in any other case.
3. Learned APP for the State has opposed the bail application. He contends that the applicant alongwith 5 others was involved in the offence. It is stated that he was pillion riding on the scooty which was being driven by one *Karan Kumar @ Golu*. He further, on instructions, submits that it was



co-accused *Sunil @ Niku*, to whom the role of hitting the complainant with *danda* and robbing of amount is attributed. He further submits that at the instance of present applicant, recovery of Rs.1 lac has been made and further, CDR location analysis has shown the applicant near the spot. He is also seen in the CCTV footage, which shows him as a pillion riding the bike.

4. Keeping in view the aforesaid facts and circumstances including the fact that the chargesheet has been filed, the role assigned to the present applicant and the fact that the applicant is not found involved in any other case, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court and subject to the further following further conditions:-

- (i) The applicant shall not leave the NCT of Delhi without prior permission of the concerned Court.
- (ii) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (iii) In case of change of residential address or contact details, the petitioner shall promptly inform the same to the concerned IO as well as to the concerned Court.
- (iv) The applicant shall not directly/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 concerned Court during the pendency of the trial.

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



6. Copy of this order be communicated electronically to the concerned Jail Superintendent for information.
7. Copy of this order be uploaded on the website forthwith.
8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the observations are only for the purpose of the disposal of the present application.

MANOJ KUMAR OHRI, J

MARCH 6, 2024

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