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

+ **BAIL APPLN. 890/2024**

AYUSH

..... Petitioner

Through: Mr. Chandan Mishra,
Mr. Rajesh Pandit,
Ms. Shifali, Mr. Satinder
Tiwari & Mr. Vikas
Sharma, Advocates with
Pairokar Mr. Manohar Lal.

versus

STATE (N.C.T. OF DELHI)

..... Respondent

Through: Mr. Pradeep Gahalot, APP
for the State with SI
Chetan, PS Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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12.03.2024

CRL.M.A. 7718/2024 (*exemption from filing certified copy of the order/annexures and typed copies of annexures, clear and legible copies and documents*) & **CRL.M.A. 7719/2024** (*exemption from filing the MLC of the complaint*)

1. Exemptions allowed, subject to all just exceptions.
2. The applications stand disposed of.

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3. The present application is filed under Section 439 of the Code of Criminal Procedure, 1973 ('CrPC') seeking interim bail in FIR No. 699/2022 dated 10.12.2022 registered at Police Station Rajouri Garden for offence under Section 307/34 of the Indian Penal Code, 1860, on the ground that the applicant has to appear for Common University Entrance Test (PG)-2024, for the purpose of admission in post-graduation.

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4. The common entrance examinations are scheduled to be held on 13th, 17th, 20th & 21st of March, 2024. The present bail application is supported by the application filled by the applicant for the Common University Entrance Test. The State has verified the fact that the applicant has in fact filled the application for giving the entrance test. Undoubtedly, every individual has the right to pursue education. Persons in custody ought to be encouraged in their pursuit for education.

5. In the peculiar facts and circumstances of this case, the applicant is directed to be released forthwith on interim bail for a period of two weeks, subject to furnishing a personal bond in the sum of ₹25,000/- with one surety in the like amount, to the satisfaction of the Jail Superintendent, subject to following conditions:

- a. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
- b. The applicant shall, upon his release, contact the concerned IO/SHO telephonically every evening;
- c. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times;
- d. The applicant shall under no circumstance leave the boundaries of the National Capital Region during his release;
- e. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever.



6. The Jail Superintendent is directed to expedite the verification of the sureties.
7. The applicant is directed to surrender on or before 26.03.2024 and at the time of his surrender, the applicant shall also file an affidavit confirming that he has taken the examinations as aforesaid, which may subsequently be verified by the concerned Investigating Officer.
8. The bail application is allowed in the aforesaid terms.
9. A copy of this order be sent to the concerned Jail Superintendent forthwith.
10. A copy of this order be given *dasti* under the signature(s) of the Court Master.

AMIT MAHAJAN, J

MARCH 12, 2024
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