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

+ **BAIL APPLN. 1473/2023**

NARESH KUMAR RANA Petitioner

Through: **Mr. Anshul Sharma, Advocate.**

versus

STATE Respondent

Through: **Ms. Shubhi Gupta, APP with SI
Rajak, PS: Sangam Vihar, for State.**

+ **BAIL APPLN. 1489/2023**

NAGESH SINGH RANA Petitioner

Through: **Mr. Anshul Sharma, Advocate.**

versus

STATE Respondent

Through: **Ms. Shubhi Gupta, APP with SI
Rajak, PS: Sangam Vihar, for State.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

02.04.2024

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1. These are applications preferred on behalf of the applicants under Section 438 Cr.P.C. for grant of anticipatory bails in case FIR No.164/2023 under Sections 308/34 IPC registered at PS: Sangam Vihar. Subsequently, Sections 307/34 IPC and Sections 25/27 Arms Act were added. By order dated 04.05.2023, this Court granted interim protection to the applicants against arrest subject to their joining investigation and fully co-operating therein.



2. Status Report has been filed in connected BAIL APPLN. 1472/2023 and learned APP relies on the same for the purpose of these two applications.
3. Learned counsel for the applicants states that applicants are innocent and have been falsely implicated. After the grant of interim protection by this Court, applicants have joined investigation, as and when directed by the IO and have fully co-operated. There is no allegation on behalf of the State that the interim protection has been misused by the applicants and/or they have tampered with any evidence or threatened or intimidated the complainant or any other person associated with the case. The only allegation against the applicants is of having hit the injured with stick/*danda* allegedly on his right leg/foot.
4. Ms. Shubhi Gupta, learned APP opposes the bail application on the ground that the victim has suffered grievous injury on his leg and applicants can be seen in the CCTV footage running behind the victim in a street and beating him with *dandas* and stick, which are yet to be recovered. It is, however, not denied that applicants have joined investigation as and when called for and save and except, the recovery of the *danda*/sticks, they have co-operated in the investigation. It is also confirmed that applicants are not involved in any other case.
5. Keeping in view the fact that applicants have joined investigation and are co-operating and there are no allegations of misusing the interim protection granted by this Court by either attempting to tamper with evidence or intimidating the complainant or any other person associated with the case and also considering that the CCTV footage of the area has been retrieved and the role ascribed to the applicants is of hitting the victim



with *danda*/sticks on the leg of the injured, the interim protection granted to the applicants vide order dated 04.05.2023 is made absolute and it is directed that in the event of arrest, applicants shall be released on bail, subject to furnishing a personal bond in the sum of Rs.50,000/- each with two sureties of the like amount, to the satisfaction of the concerned IO and further subject to the following conditions:-

- i. Applicants shall not leave the country without prior permission of the Trial Court;
 - ii. They shall furnish their respective mobile numbers to the IO and keep the same active at all times and shall not change the mobile numbers without prior intimation to the IO and the Trial Court;
 - iii. They shall appear before the Trial Court on each and every date of hearing unless exempted;
 - iv. They shall not, directly or indirectly, indulge in any illegal activity or make any inducement, threat or promise to any person associated with the case including the complainant; and
 - v. They shall furnish their current residential addresses to the IO and intimate any change in the same to the IO and the Trial Court by way of an affidavit.
6. Applications stand disposed of in the aforesaid terms, making it clear that this Court has not expressed any opinion on the merits of the case.

JYOTI SINGH, J

APRIL 2, 2024
B.S. Rohella