



\$~15

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

+ **BAIL APPLN. 1163/2024**

AMAR @SONU

..... Petitioner

Through: Mr. Bhavesh Kumar Sharma, Advocate

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Aashneet Singh, APP for State with
SI Neeraj Chaudhary

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

24.04.2024

%

1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.417/2022 registered under Sections 392/397/120B/411 IPC and Section 25 Arms Act at P.S. Patel Nagar. Further the chargesheet has been filed under 392/395/397/412/120-B/34 of IPC and Sections 27/54/59 Arms Act.
2. Learned counsel for the applicant submits that the applicant is in custody since 11.12.2022 and not only the chargesheet has been filed but the complainant of the case has also been examined who has not identified the present applicant. It is further submitted that during the investigation, neither any arms nor robbed articles have been recovered at the instance of the applicant. He also submits that the co-accused namely, *Rajendra Kumar, Yogender@Guddu & Suraj Thakur* have already been released on bail.
3. Learned APP for the State has opposed the bail application. He



submits that as per the role assigned he was present at the spot and actively participated in the incident. Further, the applicant is also involved in 4 other cases.

4. At this stage, learned counsel for the applicant submits that the applicant is on bail in all those cases.

5. Keeping in view the aforesaid facts and circumstances, the role assigned to the applicant, the fact that the complainant has already been examined and further fact that nothing has been recovered at the instance of the present applicant, it is directed that the applicant be released on regular bail subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty M.M. and subject to the following further conditions:-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer 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.



6. The bail application is disposed of in the above terms.
7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.
8. Copy of the order be uploaded on the website forthwith.
9. 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 same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

APRIL 24, 2024

na