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

+ **BAIL APPLN. 1292/2024**

MUNNA KUMAR

..... Petitioner

Through: Mr. Jitendra Sethi and Mr. Keshav
Sethi, Advocates.

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for State
with Inspector Jaspal Singh PS
Burari, Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **16.04.2024**

1. The present application has been filed under Section 439 Cr.P.C. seeking interim bail in FIR No. 58/2016 registered under Sections 302/34 IPC at P.S. Burari, Delhi on the ground that the applicant's marriage is to be solemnized on 21.04.2024.
2. Mr. Jitendra Sethi, learned counsel for the petitioner/applicant, states that the applicant has been in custody for the last 7 years and 3 months and was earlier released under the HPC Guidelines, which concession has not been misused. He further submits that the role attributed to the present applicant is of giving fist blows and further that out of 13 accused, 6 have been released on bail. Lastly, it is submitted that the applicant's marriage is to be performed in Bihar.
3. Mr. Khanna, learned APP for the State has handed over a copy of the status report. As per the said report, the factum of marriage of the applicant has been verified. He further submits that the accused, who have been released on bail, are juveniles. On a specific query, he submits that the main accused, who had given knife blows, was a juvenile and that the role



assigned to the present applicant is of giving fist blows. He further submits that the testimony of eye witnesses namely *Nitin* and *Heera Lal Negi @ Danny* is yet to be completed.

4. Considering that the applicant was earlier granted interim bail and that there are no allegations/complaints that he had misused the concession in any manner as also the fact that the factum of applicant's marriage in Bihar has been verified, it is directed that the petitioner be released on interim bail for a period of two weeks from the date of his release, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M. and subject to the following conditions :-

- i) The applicant shall provide his mobile number and will remain available on his mobile number, which he undertakes to keep operational at all times during the period of his release;
- ii) The applicant shall not directly/indirectly try to get in touch with the prosecution witnesses or tamper with the evidence;
- iii) The applicant shall not enter the jurisdiction of PS Burari, Delhi;
- iv) The applicant shall surrender after the expiry of the interim bail period.

5. A copy of this order be communicated electronically to the concerned Trial Court as well as to the concerned Jail Superintendent for information.

DASTI

MANOJ KUMAR OHRI, J

APRIL 16, 2024/rd