



\$~16

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **BAIL APPLN. 1302/2024**

**ANIL SINGH**

..... Petitioner

Through: Mr.Akshay Bhandari, Mr. Anmol Sachdeva, Ms. Megha Saroa and Mr. Kushal Kumar, Advocates.

versus

**STATE GOVT OF NCT OF DELHI**

..... Respondent

Through: Mr. Laksh Khanna, APP for State

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

**24.04.2024**

%

1. By way of present second application filed under Section 439 read with Section 482 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 of the Arms Act at P.S. Patel Nagar.
2. Learned counsel for the applicant states that applicant has been falsely implicated in the present case. It is further stated that complainant has been examined, who has not identified the applicant. It is further stated that even in the CCTV footage of the incident, the applicant is not seen. Lastly, it is stated that applicant has been in custody since 02.07.2022 and considering that the sole eye witness has been examined and that the trial is likely to take some time, the applicant be released on regular bail.
3. Learned APP for the State, on the other hand, has vehemently opposed the bail by contending that the present bail application is the second such application and the earlier bail application was dismissed vide detailed



order dated 06.12.2023 passed in BAIL APPLN. 2602/2023. It is further contended that there is no change in circumstances inasmuch as the complainant of the case stood examined prior to dismissal of the earlier bail application. It is also contended that applicant is a habitual offender, who is involved in 10 other cases of similar nature.

4. At this stage, learned counsel for the applicant states that after dismissal of the earlier bail application, the complainant has been further examined, who has not identified the complainant even in the CCTV footage.

5. Considering the fact that the factum of non-identification of the applicant by the complainant was placed before this Court at the time of consideration of applicant's earlier bail application as well as the fact that not only the robbed amount of Rs.1.80 lacs but one country made pistol and two live cartridges were also recovered at the instance of the applicant, I find that there is no change in circumstances and no fresh ground is made to entertain the application.

6. Accordingly, the present bail application is dismissed.

**MANOJ KUMAR OHRI, J**

**APRIL 24, 2024**

*ga*