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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1568/2024 & CRL.M.(BAIL) 760/2024**
MOHAMMAD SADDAM @ SHAHDAB Petitioner
Through: Ms. Renu Rani and Mr. Gourav Dixit,
Advts.
versus
STATE OF NCT OF DELHI Respondent
Through: Mr. Raghuvinder Verma, APP for
State with ASI Krishan Kumar, PS.
Sarai Rohilla.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **17.05.2024**

1. The present petition has been filed under Section 439 (1) CrPC seeking regular bail in connection with the FIR No. 40/2023 under Sections 392/397/34 IPC (subsequently, charge sheet was filed under Section 411 IPC and Sections 25/27 of Arms Act were added) registered at Police Station Sarai Rohilla.
2. The case of the prosecution against the present petitioner is that he along with other 03 associates had robbed the complainant of his mobile phone at knife point.
3. The learned counsel for the petitioner submits that the co-accused Gulfam, who is similarly situated, has already been granted regular bail *vide* order dated 07.08.2023 passed in BAIL APPLN.1613/2023. This position is not disputed by the learned APP for the State, on instructions from the I.O., who is present in Court.
4. The antecedents of the petitioner are clean and it is not the case of the prosecution that he is a flight risk. The custody of the petitioner is no more required for any purpose.



5. In view of the above, the petitioner is also enlarged on bail subject to his furnishing a Personal Bond in the sum of Rs. 10,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-

- a) Petitioner shall not leave Delhi without prior permission of the Court.
- b) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- c) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- d) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.

6. The petition stands disposed of.

7. It is clarified that the observations made herein above are only for the limited purpose of deciding the present bail application and the same shall not be construed as an expression of opinion on the merits of the case.

8. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.

9. Order *dasti* under signatures of the Court Master.

10. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

MAY 17, 2024/dss