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

+ **BAIL APPLN. 1633/2024**

SOURAV @ LEFTY

..... Petitioner

Through: Mr. M. Naushad, Advocate

versus

THE STATE NCT OF DELHI

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Ajay Chouhan

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.05.2024

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CRL.M.A. 14211/2024 and CRL.M.A. 14212/2024 (exemptions)

1. Allowed, subject to all just exceptions.
2. The applications are disposed of.

BAIL APPLN. 1633/2024

1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.125/2024 registered under Sections 307/34 IPC at PS Kalindi Kunj, Delhi.
2. Learned counsel for the applicant submits that though the FIR has been registered under Section 307 IPC, however, the nature of injuries sustained by the complainant has been opined to be simple. He submits that the co-accused persons namely *Sunny @ Ghoda*, *Mohd. Hafiz* and *Abhishek @ Bhola* have already been released on regular bail. He further submits that the present applicant is in custody since 17.04.2024.



3. Learned APP for the State submits that the role attributed to the present applicant is of hitting the injured with a baseball bat however on instructions, confirms that the injuries suffered by the complainant are opined to be simple in nature. He further submits that the applicant is also involved in another case being FIR No.529/2023 registered under Sections 307/324/427/34 IPC at P.S. Kalindi Kunj.

At this stage, learned counsel for the applicant submits that the applicant is on bail in FIR 529/2023.

4. Keeping in view the aforesaid facts and circumstances including the role assigned to the applicant and the period of custody and the fact that co-accused persons have already been released on bail, it is directed that the applicant be released on regular bail 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/ 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.
5. The bail application is disposed of in the above terms.
6. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.
7. Copy of the order be uploaded on the website forthwith.
8. 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

MAY 8, 2024

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