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

+ **BAIL APPLN. 2287/2022**

BANTU

.....Applicant

Through: Mr. Shivendra Singh, Adv.
through V.C.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali
Bandhopadhya, ASC for
the State (GNCTD) with
Mr. Abhijeet Kumar, Adv.
ASI Sachin Singh, ARSC /
Crime Branch.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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23.08.2024

CRL.M.A. 25315/2024 (for modification of para 97 of the
judgment)

1. The present application is filed praying for modification of the order dated 08.07.2024 to the extent that the applicant be directed to be released on furnishing a personal bond for a sum of ₹50,000/- with one surety of the like amount instead of two sureties as directed.

2. The order granting the bail was passed on 08.07.2024. The applicant is stated to be belonging to poor strata of society and is being represented by a Legal Aid counsel.

3. The Hon'ble Supreme Court had specifically noted that if the accused is not able to furnish bail bonds and sureties within one month from the grant of bail, the concerned Court may *suo moto* take up the case and consider whether the conditions of bail require modification / relaxation [*In Re: Policy Strategy for Grant of Bail : 2023 SCC OnLine SC 483*].

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4. It is a common knowledge that the convicts who are in custody for a long duration of time are not in a position to persuade even the family members to stand surety for them. Thereby, in lieu of the above, the request seeking modification of the bail condition to the extent of reducing the number of sureties from two to one surety is a reasonable request considering that more than a month has elapsed since the previous order and the applicant has not been released solely due to his inability to arrange an additional surety.

5. In view of the above, the present application is allowed and the para No. 97 of the judgment dated 08.07.2024 is modified and to be read as under:

“97. The applicant is, therefore, directed to be released on bail on furnishing a personal bond for a sum of ₹50,000/- with one surety of the like amount, subject to the satisfaction of the learned Trial Court/Duty MM / Link MM, on the following conditions:

- a. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
- b. The applicant shall under no circumstance leave the boundaries of the country without the permission of the learned Trial Court;
- c. The applicant shall appear before the learned Trial Court as and when directed;
- d. The applicant shall provide the address where he would be residing after his release and shall not



change the address without informing the concerned IO/ SHO;

e. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.”

6. The application stands disposed of.

AMIT MAHAJAN, J

AUGUST 23, 2024

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