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

+ **BAIL APPLN. 1913/2024**

VANSH GOLA

.....Petitioner

Through: Mr. Pashupati Nath Razdan, Mr. Astik Gupta, Mr. Deepanshu Gola, Mr. K.P. Jayaram, Advs.

versus

STATE OF NCT DELHI

.....Respondent

Through: Mr. Satish Kumar, APP for the State with SI Amit Kumar, NDR/Crime Branch.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

05.08.2024

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1. This is an application under Section 439 Cr.P.C. on behalf of the applicant seeking regular bail in case FIR 865/2023 dated 04.12.2023 registered under Sections 336/34 IPC read with Sections 25/27/54/59 of the Arms Act, at PS Punjabi Bagh.
2. Learned counsel for the petitioner submits that the only evidence against the present petitioner is in the form of the disclosure statement of a co-accused, Aakash, and the disclosure statement of the present petitioner.
3. Learned counsel submits that as per the case of the prosecution, the petitioner at the instance of co-accused Gaurav Rana dropped the motorcycle at Madipur Metro Station before the incident. Learned counsel submits that the petitioner is young boy of 21 of years age and there is clean antecedents. Learned counsel further submits that



the investigation has already been completed and the charge sheet has been filed.

4. Learned APP for the State has opposed the bail application on the ground that the petitioner is a part of the dreaded Lawrence Bishnoi Gang. Learned APP submits that the petitioner is involved in a conspiracy with the accused persons to create terror in the minds of people.
5. Submissions heard.
6. Every case has to be seen based on its particular facts and circumstances. The facts, as detailed in the status report filed by the prosecution, indicate that the only evidence against the present petitioner is the disclosure statement of Akash@Kasa and the disclosure made by the present petitioner. The other evidence the prosecution relies on is that the co-accused Akash @Kasa, Gaurav Rana, and the present petitioner were in touch with IP address 98.41.121.53 from 29.11.2023 to 03.12.2023. The status report states that this IP belongs to Internet Service Provider Comcast Cable Communications LLC, located in Clovis, California, USA. The prosecution argues that this indicates someone outside of India was directing the accused.
7. I consider that this alone cannot be a ground to retain the accused in custody, particularly when the chargesheet has already been filed and the petitioner has clean antecedents.
8. In the facts and circumstances, the petitioner is admitted to bail on furnishing personal bond of Rs.20,000/-with one surety of the like amount to the satisfaction of the concerned learned Trial Court with



following conditions;

- a) the Petitioner shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
 - b) the Petitioner shall under no circumstances leave India without prior permission of the Court concerned;
 - c) the Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
 - d) the Petitioner shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;
 - e) In case of change of residential address and/or mobile number, the Petitioner shall intimate the same to the Investigating Officer/ Court concerned by way of an affidavit.
9. Copy of the order be sent to the concerned Jail Superintendent for information and compliance.
10. In view of the above, the present application stands disposed.

DINESH KUMAR SHARMA, J

AUGUST 5, 2024

Pallavi/NA