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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2534/2024

SUMIT

.....Petitioner

Through: Ms. Ashu Bidhuri, Mr. Hemant
Baisla, Mr. Hemant Kumar Niranjana,
Mr. Nepal Singh and Mr. Shubham
Tomar, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for the
State with SI Vishal, P.S: Ashok
Vihar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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28.08.2024

1. By way of the present bail application, the applicant seeks regular bail in FIR No.201/2023 registered under Sections 307/34 IPC at P.S. Ashok Vihar, Delhi.
2. Learned counsel for the applicant submits that the applicant is a student of B.Com and was barely 18 years of age at the time of the incident and the only role assigned to him is of catching hold of the injured persons at the time of commission of the offence. He was previously released on interim bail twice by the concerned Trial Court. It is also stated that the examination-in-chief of two injured and material witnesses has already been done. Lastly, it is submitted that the applicant is not involved in any other case.



3. The bail application is opposed by learned APP for the State who submits that the applicant has been assigned with a specific role of catching hold of the injured persons and that noting the situs of the injury Section 307 was added. He also submits that the cross examination of the said witnesses is pending and the applicant has been in custody since 01.03.2023. Mr. Jha, on instruction, confirms that the applicant is not involved in any other case.

4. I have heard the Ld. counsels for the parties and perused the material available on record.

5. Considering the aforesaid and the age of the accused, further the fact that the role attributed to him in commission of offence is only of catching hold and that he did not misuse the concession of interim bail earlier, this Court deems it fit to release the applicant on regular bail subject to him 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 J.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.

6. The bail application is disposed of in the above terms.

7. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

8. Needless to state that the observations made hereinabove are only for the purpose of disposal of present bail application and which shall not have a bearing on the trial of the case.

DASTI.

MANOJ KUMAR OHRI, J

AUGUST 28, 2024/pu