



\$~8

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 2721/2024

RAMASHISH

.....Petitioner

Through: Mr. Rajbir Singh Sagar, Advocate

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

16.08.2024

1. By way of present application, the petitioner/applicant seeks regular bail in case FIR No. 230/2023 registered under Sections 302/392/394/ 397/ 411/ 212/120B/ 34 IPC and 25/27/54/59 Arms Act, at P.S. GTB Enclave, Delhi.
2. Learned counsel for the applicant submits that the applicant is not involved in the present case as his name has come only in the disclosure statement of the co-accused *Ram Tej*. It is stated that even as per the prosecution case, neither the applicant has actually committed the offence nor was he present at the spot of incident. It is further submitted that the only role ascribed to the applicant is that the co-accused were at his place before and after the incident and also the recovery of the empty bag of the deceased which was looted alongwith other looted belongings from his premises. He further submits that the case is pending at the stage of framing of charge and the trial would take some time to conclude.
3. Learned APP for the State has opposed the bail application. He



submits that the applicant is part of the conspiracy to commit the offence of robbery during which the incident of murder also took place. He submits that the applicant was also found to be in contact with the other accused through CDR connectivity before and after the incident. The deceased was robbed of his belongings and Rs.6,98,500/- out of which Rs.12,600/- was recovered at the instance of the applicant alongwith the empty bag. It is also stated that during the investigation, it was found that the applicant had left the place where he was usually residing prior to the incident.

4. At this stage, learned counsel for the applicant submits that the co-accused persons belonged to the native village of the applicant and the applicant has only given shelter to them as they were looking for employment.

5. Considering that as per the prosecution case, the applicant is neither stated to be at the spot nor has he taken an active part in the incident, 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.

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

7. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

8. Copy of the order be uploaded on the website forthwith.

9. 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

AUGUST 16, 2024

na