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

+ **BAIL APPLN. 2745/2024**

SHASHI KUMAR

.....Petitioner

Through: Mr. Sunil Kumar Mehta, Mr.
Trilochan Prakash Ravi, Advs.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Raghuinder Varma, APP for State

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

22.08.2024

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1. The present bail application has been filed under Section 439 Cr.P.C. r/w Section 482 Cr.P.C. seeking grant of bail in case FIR No. 41/2024 dated 21.01.2024 under Section 308/34 IPC registered at PS Vasant Kunj South.
2. The facts in brief are that, on 20.01.2024, at around 09:00 PM, the complainant was present at his shop when the applicant/accused, along with co-accused persons, visited his shop carrying wooden sticks. They inquired about Santosh, but the complainant refused to provide any information. In response, the applicant/accused, along with the co-accused, began beating him. The applicant/accused and co-accused Mona struck him on the head with a baseball bat. The complainant tried to escape and went outside the shop, but co-accused Chandan and Bittu grabbed him. All the accused then forced him to the ground and



mercilessly beat him with wooden sticks, a hockey stick, and a baseball bat.

3. Learned counsel for the petitioner submits that the co-accused Chandan Kumar has already been granted bail by this court vide order dated 03.07.2024 vide BAIL APPLN. 1565/2024 "*Chandan Kumar v. The State NCT of Delhi & anr.*". Learned counsel further submits that the accused is in custody since 06.06.2024 and therefore on the ground of parity the petitioner may also be admitted to bail.
4. Learned APP for the State, in its status report to be placed on record, has submitted that the role of the petitioner is different from that of Chandan Kumar. It has further been submitted that the present petitioner is a BC (Bad Character) of the area, and if released on bail, he may involve himself in other cases.
5. I have perused the status report. The petitioner is involved in six other cases under the Excise Act, in which he has already been granted bail. The petitioner has been in custody in the present case since 06.06.2024, and the charge sheet has already been filed. It is a settled proposition that while considering the bail the Court is required to see the case prima facie. The co-accused has already been admitted to bail. The charge-sheet has been filed and trial may take some time.
6. In view of the facts and circumstances, the petitioner is admitted to court bail on furnishing a personal bond of Rs. 20,000/- with one surety of the like amount subject to the satisfaction of concerned court/MM/CMM/Duty MM subject to the following conditions:
 - a) The petitioner shall report to IO/ SHO on every alternative day to PS Vasant Kunj at 05:00 PM.



- b) the Petitioner shall cooperate in the investigation and appear before the Investigating Officer of the case as and when required;
 - c) the Petitioner shall under no circumstances leave India without prior permission of the Court concerned;
 - d) the Petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
 - e) the Petitioner shall provide his/her mobile number(s) to the Investigating Officer and keep it operational at all times;
 - f) 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.
7. In view of the above, the present application stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 22, 2024/AR/NA..