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

+ **BAIL APPLN. 3995/2023**

BASANT KUMAR

..... Petitioner

Through: Mr.Aadil Singh and Mr.G. Singh,
Advocates

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through: Mr.Laksh Khanna, APP for State with
SI Sandeep

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

15.02.2024

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1. The present application has been filed under Section 438 read with Section 482 Cr.PC. seeking anticipatory bail in FIR No. 645/2023 registered under Sections 307/34 read with Section 27 Arms Act at P.S. Palam Village.
2. Learned counsel for the petitioner/applicant submits that the allegations in the FIR pertain to an incident that allegedly took place on 02.10.2023, when complainant's wife was shot at her home and submits that the incident was captured in the CCTV footage. As per the allegations, while three persons had entered into the house, two persons kept watch. He however, submits that the applicant was not present at the spot. He further submits that the applicant's name has only figured in the supplementary statement of the complainant, wherein he had stated that on an earlier occasion, the applicant had accompanied *Mohan Lal*, the purchaser of the house/property, where the complainant is living and during the talk, money was offered to the complainant to vacate the house/property. He submits that



no other role has been assigned to the present applicant and that the applicant is not involved in any other case.

3. Learned APP for the State submits that the applicant is not one of the persons who had visited the complainant's house and took part in the offence. He, on instructions, further submits that custodial interrogation of the applicant is not required and also confirms that the applicant is not found involved in any other case.

4. Keeping in view the aforesaid facts and circumstances alongwith the fact that the applicant was not present at the spot on 02.10.2023 and that his custodial interrogation is not required, it is directed that in the event of arrest, the applicant be released on bail subject to him furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential address/contact detail, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.



- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (vi) The applicant shall regularly appear before the trial Court as and when the charge sheet is filed.
5. The application is disposed of in the above terms.

MANOJ KUMAR OHRI, J

FEBRUARY 15, 2024

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