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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2950/2024

YOGESH

.....Petitioner

Through: Mr.Pawan Gupta and Kapil Tanwar,
Advocates

versus

THE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, APP for State

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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10.09.2024

1. By way of the present application, the petitioner/applicant seeks anticipatory bail in FIR No.268/2024 registered under Sections 33/58 Delhi Excise Act and 279/336 IPC at PS Maidan Garhi, Delhi.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case and in pursuance of the interim protection granted to him vide order dated 20.08.2024, he has joined the investigation. It is further submitted that the applicant is the sole bread earner in his family and he is the car driver by profession. He further submits that there is neither any independent witness nor any CCTV footage that is placed on record.
3. Learned APP for the State has opposed the bail application. He submits that though the applicant has joined the investigation, however, has not cooperated and has also not disclosed the name of the co-accused. Further, he is also involved in another case being FIR No.242/2024



registered under Sections 33/58 Delhi Excise Act at PS Maidan Garhi, New Delhi.

4. At this stage, learned counsel for the applicant submits that the applicant is already on bail in the aforesaid case.

5. Considering the totality of the facts and circumstances of the case and that the applicant has already joined the investigation, the interim protection granted to him vide order dated 20.08.2024 is made absolute and it is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount, to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and further subject to the following 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 addresses/contact details, 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.

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

7. 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

SEPTEMBER 10, 2024

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