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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 4242/2024, CRL.M.A. 34767/2024

YASH GUPTA

.....Petitioner

Through: Mr. Charanjeet Bhalla, Advocate.

versus

STATE (GNCT OF DELHI)

.....Respondent

Through: Mr. Shoaib Haider, APP for State
with SI Sanjay Meena, P.S. Shahdara.
Mr. Sumit Verma and Mr. Dinesh
Mishra, Advocates for complainant.

AND

+ BAIL APPLN. 4416/2024, CRL.M.A. 36057/2024

YOGESH GUPTA

.....Petitioner

Through: Mr. Charanjeet Bhalla, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Manjeet Arya, APP for State with
SI Sanjay Meena, P.S. Shahdara.
Mr. Sumit Verma and Mr. Dinesh
Mishra, Advocates for complainant.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.12.2024

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1. By way of above-noted bail applications, the applicants seek anticipatory bail in FIR No. 383/2024 registered under Sections 115(2)/74/75/79/309(6)/351(2)/3(5) IPC at P.S. Shahdara, Delhi.
2. Learned counsel for the applicants submits that post grant of interim



protection, the applicants have joined the investigation. He further states that allegations in the FIR are belied by the CCTV footage, a replica of which has been placed on record. Additionally, it is stated that even the allegations under Sections 74/75 of the BNS are not made out on examining the same.

3. Bail applications are opposed by the Ld. APP for the State who is duly assisted by the counsel for the complainant. It is submitted that though the applicants have joined the investigation, however, they have not given any clue about the bag which is stated to have been taken away.

4. I have heard the learned counsels for the parties and have also seen the CCTV footage of the incident which was seized and sent to FSL for examination.

5. Considering the totality of the facts and circumstances, the interim protection granted to the applicants vide orders dated 20.11.2024 and 02.12.2024 are made absolute and it is directed that in the event of arrest applicants be released on anticipatory bail subject to their furnishing a personal bond in the sum of ₹25,000/- each with one surety each 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 applicants shall join the investigation as and when, they are asked for.
- (iii) The applicants shall inform the concerned Investigating Officer about their current residential address.



(iv) In case of change of residential address/contact details, the applicants shall promptly inform the same to the concerned Investigating Officer/SHO.

(v) The applicants 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 applicants shall regularly appear before the Trial Court as and when the charge sheet is filed.

6. Both the applications are disposed of in the above terms alongwith pending applications.

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

MANOJ KUMAR OHRI, J

DECEMBER 6, 2024

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