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4. Learned counsel for the complainant opposed the bail application and prays that the petitioner happens to be the main accused who had taken away the money from the shirt of the complainant. Hence, he is not entitled to grant of bail.

5. During the course of hearing on 04.12.2024, following order was passed:

“ 2. Learned counsel for the petitioner, inter alia, contends that the allegations levelled against the petitioner are fabricated and without any basis. There was no occasion for the petitioner to take away any money from the complainant or to take away his tractor. He refers to the FIR to say that the allegations for taking away the tractor are levelled jointly on the petitioner as well as one Sukhdev Singh and the said Sukhdev Singh has already been declared innocent by the police.

3. Learned State counsel, on instructions from SI Sukhdev Singh, has not disputed this aspect that accused Sukhdev Singh and Bagicha Singh have been declared innocent in this case.

4. Be it the case, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 482 (2) of BNSS, 2023.

5. List on 16.01.2025.”

6. Keeping in view the above submissions made by learned State

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counsel and the fact that the petitioner had joined the investigation consequent to the order dated 04.12.2024 passed by this Court, interim bail granted vide order dated 04.12.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

- 7. The petition stands allowed.
- 8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

16.01.2025
kanika

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |