



\$~7

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

+ **BAIL APPLN. 269/2025**

ANKIT DADA

.....Petitioner

Through: Mr. Vineet Jain, Advocate

versus

STATE (GNCT OF DELHI) THROUGH SHORespondent

Through: Mr. Manoj Pant, APP for the State.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

14.02.2025

%

1. The present bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereafter 'BNSS') has been filed on behalf of the applicant, seeking grant of regular bail in case arising out of FIR bearing no. 56/2024, registered at Police Station Wazirabad, Delhi, for offences punishable under Sections 392/394/395/397/560/34/147/148/149 of the Indian Penal Code, 1860 (hereafter 'IPC') and Sections 25/27 of the Arms Act, 1959.

2. Brief facts of the present case are that an information was received regarding an incident of firing, physical assault and looting money from the complainant, the basis of which the present FIR was registered. During investigation, the accused persons were arrested. The investigation revealed the participation of the present accused/applicant in the commission of offence. On 15.11.2024, the supplementary chargesheet *qua* the present applicant was filed before the concerned court.



3. The learned counsel appearing for the applicant argues that the co-accused with similar role has already been granted bail by the learned Trial Court. It is stated that the applicant herein was not identified during Test Identification Parade (TIP). It is contended that there is no evidence regarding active participation of the accused in the present offence. It is stated that the applicant has been in judicial custody since October, 2024 and trial will take time to conclude. Therefore, it is prayed that the applicant be released on bail.

4. *Per contra*, the learned APP for the State argues that the applicant in the present case can be seen in the CCTV footage near the spot of commission of alleged offence. It is argued that the allegations levelled upon the applicant are serious in nature. However, the learned APP for the State admits that the co-accused, having similar role, has been granted bail by the learned Trial Court.

5. This Court has heard arguments addressed by learned counsel for the applicant and learned APP for the State, and has gone through the material on record.

6. In the present case, the applicant herein was arrested on the basis of disclosure statement of co-accused. However, he was not identified by the complainant during TIP proceedings. Concededly, co-accused having similar role has been granted bail by the learned Trial Court. The applicant has been in judicial custody since 01.10.2024, and he has no other criminal antecedents.

7. Considering the overall facts and circumstances of the case, this Court is inclined to release the applicant on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety of the like amount, subject to the



satisfaction of the learned Trial Court / Duty MM / Link MM, on the following conditions:

- i. The applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case or tamper with the evidence of the case, in any manner whatsoever;
 - ii. The applicant shall under no circumstance leave the country without the permission of the learned Trial Court;
 - iii. The applicant shall appear before the learned Trial Court as and when directed;
 - iv. The applicant shall provide the address where he would be residing after his release and shall not change the address without informing the concerned IO/ SHO;
 - v. The applicant shall, upon his release, give his mobile number to the concerned IO/SHO and shall keep his mobile phone switched on at all times.
8. It is clarified that any observations made in the present order are for the purpose of deciding the present bail application and should not influence the outcome of the trial and also not be taken as an expression of opinion on the merits of the case.
9. The bail application is allowed in the aforementioned terms.
10. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J
FEBRUARY 14, 2025/zp

[Click here to check corrigendum, if any](#)