



2025:DHC:2483



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

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Date of Decision: 09.04.2025

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BAIL APPLN. 1424/2025 & CRL.M.A. 11108/2025 (exemption)

SAURABH

.....Petitioner

Through: Mr. Arjun Malik, Advocate.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Himanshu Kumar Dubey, PS
Amar Colony.**CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. The accused/applicant seeks anticipatory bail in case eFIR No.80028170/2025 of PS Amar Colony for offence under Section 305, BNS. The allegation against the accused/applicant is that he stole mobile phone of the complainant *de facto*. According to prosecution, from an App installed in the mobile phone, presence of the phone was found in the carry away food joint being run by mother of the accused/applicant. Further, it appears from paragraph 12 of the FIR that the only information registered was theft of the mobile phone and that the detailed statement was to be recorded by the Investigating Officer at a later stage.

2. Learned prosecutor, accompanied with Investigating Officer, in all

*BAIL APPLN. 1424/2025**Page 1 of 2 pages*GIRISH KATHPALIA
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fairness does not raise any serious objection to grant of anticipatory bail.

3. On behalf of accused/applicant, it is contended that he is a young law student, living with his mother, who is running a carry away food joint. Further, the said App installed in mobile phone does not reflect the exact position of the phone, but only the tower concerned.

4. Considering the above circumstances, the application is allowed and it is directed that in the event of his arrest, the accused/applicant shall be forthwith released on bail subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/SHO. Pending application stands disposed of.

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**GIRISH KATHPALIA
(JUDGE)**

APRIL 9, 2025/ry