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

+ **BAIL APPLN. 4405/2024**

**MANOJ ALIAS DEVENDER**

.....Petitioner

Through: Mr. Gajraj Singh, Ms. Sakshi  
Sachdeva, Ms. Ritika Rajput, Ms. Yushi Gupta,  
Advs.

versus

**THE STATE GOVT.OF NCT OF DELHI**

.....Respondent

Through: Mr. Aashneet Singh, APP

**CORAM:**

**HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER**

**12.02.2025**

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1. This is a petition seeking grant of regular bail in F.I.R. No. 214/2021 dated 25.04.2021 under Sections 302 read with 34 of Indian Penal Code, 1860 (“IPC”) registered at P.S. Bharat Nagar, Delhi.
2. The brief facts of the case are that on 24.04.2021, an information was received at the police station stating a 22-year-old patient named Sagar @ Rahul s/o Rakesh was admitted with stab wounds in the DCB Hospital, Ashok Vihar, Delhi. Thereafter, he was later declared dead.
3. Sachin, the deceased’s brother, stated that two to three years ago, he had a quarrel with Deepak @ Motiya, and since then, there has been enmity between them. On 24.04.2021, he along with the deceased went to a park. At around 9:00 PM, he saw that two boys were holding the deceased. Deepak @ Motiya threatened to kill him and then stabbed the deceased in the chest multiple times.
4. As per the status report dated 12.11.2024, the petitioner’s role is to the effect that he held the deceased while Deepak @ Motiya stabbed the deceased.



5. Thus, the role attributable to the petitioner is that the petitioner held the deceased and it is not the petitioner who had stabbed the deceased with a knife.
6. As per the Nominal Roll as on 28.12.2024, the petitioner has been in custody for 3 years 8 months.
7. Additionally, only 9 out of 29 witnesses (6 witnesses have been dropped) have been examined and it does not seem that the trial will conclude in the immediate near future.
8. The petitioner has clean antecedents and there is no other criminal case against the petitioner.
9. The petitioner is an under trial prisoner and thus there is a presumption of innocence in his favour. The petitioner cannot be kept in custody for an indefinite time as speedy trial guaranteed under Article 21 of Constitution of India is of paramount consideration.
10. In view of the aforesaid circumstances, the present petition is allowed and the petitioner is directed to be released on the following terms and conditions:-
  - a. The petitioner shall furnish a personal bond in the sum of Rs 10,000 (Rupees ten thousand only) each with 1 surety in the like amount, to the satisfaction of the concerned trial court;
  - b. The petitioner shall not leave the country without the permission of the concerned court and if the petitioner has a passport, he shall surrender the same to the concerned trial court;
  - c. The petitioner shall furnish to the IO concerned the cell



phone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched on at all times;

- d. The petitioner will furnish his permanent address to the concerned IO and in case he changes his address, he will inform the IO concerned;
  - e. The petitioner shall not indulge in any act or omission that is unlawful, illegal or that would prejudice the proceedings in pending cases, if any;
  - f. The petitioner shall appear in Court on every date of hearing unless exempted;
  - g. The petitioner shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
11. Nothing stated hereinabove shall tantamount to an expression of opinion on the merits of the case.
12. The petition is allowed and is disposed of accordingly.
13. The status report handed over in Court today is taken on record.
14. *Dasti* under the signature of the Court Master.

**JASMEET SINGH, J**

**FEBRUARY 12, 2025 / (MS)**

*Click here to check corrigendum, if any*