

25.07.2020

Present : Sh. Deepak, Ld. Substitute APP for the State is present through Video Conferencing.
Ld. Counsel for accused is present through Video Conferencing.
IO is also present through Video Conferencing.

Arguments of Ld. APP and Ld. Counsel for the accused, on the present application have already been heard on 24.07.2020.

Ld. APP for the State has opposed the bail application of the accused stating that the allegations are serious in nature. He has also submitted that the present accused is running a syndicate alongwith one Khurshida and one Mohd. Sharif, whereby they purchase stolen mobile phones and then sell them in other states like Rajasthan. It was also submitted by Ld. APP that as per the reply of IO, the stolen mobile phone of the present case was recovered from the possession of Mohd. Sharif alongwith various other stolen mobile phones. Similarly, a huge number of stolen phones was also recovered from the possession of Khurshida.

I have carefully perused the application and the contents of the present FIR and the reply of the IO. As per the FIR, on 21.06.2020, two boys came on motorcyle and snatched her mobile phone from her hands. On specific query, the IO has submitted that the snatched mobile phone of the complainant of the present case has been recovered from Mohd. Sharif and not the present accused. On specific query regarding the TIP of the accused persons, the IO submitted that TIP of the accused persons was not sought, as they are only receivers of the stolen properties and not the offenders who snatched the mobile phone of the complainant. The only submission of the IO is that the present accused is involved in a syndicate with co-accused Mohd. Sharif and Khurshida and their modus-operandi is that they purchase mobile phones and further sell them and the present accused used to earn profit of Rs. 100/- per mobile phone by



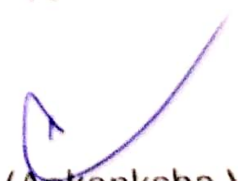
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working in this syndicate. The IO also submitted that as per the CDRs obtained by him, the present accused was in constant touch with co-accused Sharif and Khurshida, prior to as well as after the commission of offence in question.

No case property of the present case has been recovered from the present accused. It is the admission of the IO himself that TIP of the accused has not been conducted for the reasons mentioned above. IO has also not disclosed any previous involvement of the accused in other offences. The accused is in J/C since 01.07.2020. Keeping in view the facts and circumstances of the case, accused is admitted to Court bail on furnishing of personal bond in the sum of **Rs. 20,000/- with one surety in the like amount** subject to the conditions that :-

1. The accused shall cooperate with the IO during the investigation.
2. Accused shall not indulge in similar offence as that of which he is the accused.
3. He will not try to tamper with the evidence and will not try to contact the complainant during the pendency of the case.

Accordingly, bail application disposed off. Copy of this order be sent to Ld. Counsel for accused through email.


(Aakanksha Vyas)
Duty MM (East)/ KKD Court
Delhi/ 25.07.2020

J/C

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Sinnu to for

21/07/2020

IN THE COURT OF HON'BLE L. C. M. M., LD.
C.M.M.F (DISTT.), KARKARDOOMA COURTS, DELHI.

Dmwlk
22/07/2020

IN THE MATTER OF:-
STATE V/S

Raiesh Ahmad S/o Mohd Tahir

22/07/2020

W. Council of app~~l~~
a pple cant- could not- connect
through cisco webex (y) meeting

FIR NO: 297/20
U/S: 356/379/40/34 IPC
P/S: Pandov Nagar
IN CUSTODY: 1/7/20

Put up for
24/07/2020

APPLICATION FOR GRANT OF BAIL U/S 437 CR.P.C. ON
BEHALF OF ABOVE NAMED APPLICANT/ACCUSED.

A
Dmwlk
22/07/2020

SIR,

MOST RESPECTFULLY SHOWETH:-

1. That the applicant/accused has nothing to do with the alleged offence and he has been falsely implicated in the above noted case/FIR by the concerned police officials.
2. That the applicant/accused was lifted from his house on the pretext of some enquiry, but later on, the concerned police officials, falsely implicated him in the present case.
3. That nothing has been recovered from the possession of the applicant/accused and if anything is shown, the same is planted by the concerned police.
4. That the applicant/accused belongs to a respectable family, having liability of his family members.
5. That the applicant/accused is the permanent resident of Delhi and there is no chance of his absconding or tempering with Prosecution Evidence.

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