

Bail Application no. 1448/2025
FIR no. 302/2025
U/s 304(2)/3(5) BNS
PS Shahdara
State v. **Mohd. Abbas @ Aman**

30.10.2025

Present: Sh. Pradeep Kumar, Ld. Addl. PP for the State.
IO/ SI Naresh Kumar Sharma.
Mohd. Arif, Ld. Counsel for applicant/ accused.

IO has filed reply to the application after joining the investigation by the applicant. Copy supplied to Ld. Counsel for the applicant.

Submissions heard.

Put up for orders at 04:00 p.m.

(Vijay Kumar Jha)
PO MACT-01 (SHD)/ KKD
Delhi/30.10.2025

ORDER

30.10.2025

1. By this order, I shall dispose of the application under section 482 of BNSS, filed on behalf of the applicant/ accused Mohd. Abbas @ Aman for grant of anticipatory bail.
2. Vide order dated 14.10.2025, this Court had directed the applicant to join the investigation and the Investigating Officer was directed to file the outcome of the investigation after the applicant joined the investigation.
3. In the reply of even date filed by the Investigating Officer, it is stated that the applicant had joined the investigation on 16.10.2025 and was interrogated. That during interrogation, the applicant produced the

snatched mobile phone (One Plus 11R, black colour), which was seized by the Investigating Officer and deposited in Malkhana and the said mobile phone is stated to have been released to the complainant on superdari on 25.10.2025.

4. The anticipatory bail application has been opposed to on the ground that the applicant could tamper the evidence and can harm the witnesses and can commit offences of the same nature.
5. The Ld. Counsel for the applicant has stated that the applicant is a young man of 19 years (in the application, the age of the applicant is stated to be 23 years) and has no previous involvement in any of the cases and not even any complaint has been made against the applicant. With respect to the recovery of the case property/mobile phone of the applicant, the Ld. Counsel for the applicant has submitted that the said recovery has been planted upon the applicant by the police official/ Investigating Officer.
6. The Ld. Addl. Public Prosecutor for the State has opposed the bail application on the ground that the case property has been recovered from the applicant and as the legal provision of common intention has been invoked in the case FIR, the applicant shall not only be liable to face trial for recovery of stolen property but also with respect to snatching.
7. Keeping into consideration that the present case is the first case in which there is the involvement of the applicant and that the applicant is a young man of 19-23 years of age and has no previous criminal record, the present application is allowed with the caveat that if in future any

involvement of the applicant is found in committing offences like snatching, theft and/or receiving of stolen property, the bail which has been granted in the present case shall be liable to be cancelled.

8. With the aforesaid stipulation, it is directed that in the event of arrest of the applicant/ accused Mohd. Abbas @ Aman in the subject case FIR, he shall be admitted on bail on furnishing Personal Bond in a sum of Rs.25,000/- with and one surety of the like amount, to the satisfaction of IO/SHO/Arresting Officer
9. **Application is allowed and disposed of.** Copy of order dasti.

(Vijay Kumar Jha)
PO MACT-01 (SHD)/ KKD
Delhi/30.10.2025