

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

+ **BAIL APPLN. 1731/2009**

NAFEES AHMAD Petitioner
Through Mr. R.P. Luthra, Adv.

versus

STATE Respondent
Through Ms. Fizani Husain, APP for the State

CORAM:
HON'BLE MS. JUSTICE GITA MITTAL

ORDER
% **04.09.2009**

Crl.M.A. No.10308/2009

Allowed, subject to just exceptions.

Bail Application No.1731/2009

Notice.

Ms. Fizani Husain, learned APP for the State accepts notice.

By this application, Nafees Ahmad who stands implicated in FIR No.152/2009 registered by the police station Mayur Vihar under Sections 323/324/326/307/34 of the Indian Penal Code seeks grant of anticipatory bail.

Learned counsel for the petitioner has drawn my attention to the complaint based whereon the case has been registered wherein specific roles stand assigned to these three persons who have been released on bail.

The applicant contends that the only role attributed to the petitioner is use of abusive language without anything more with regard to the infliction of the alleged injury. The primary ground on which the application is based, is

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the fact that the applicant's three brothers who were also implicated for the same offences against whom there are more serious allegations, have been granted regular bail by the order dated 19th August, 2009 passed by the learned Additional Sessions Judge.

In view of the above, it is directed that in the event of arrest, subject to the applicant furnishing a personal bond in the sum of Rs.25,000/- with one local surety of the like amount to the satisfaction of the arresting/investigating officer, the applicant shall be released on bail.

The applicant shall, however, join investigation as and when required by the investigating officer to do so in accordance with law and ensure that he does not impede the investigation.

This application is allowed in the above terms.

Dasti.

SEPTEMBER 04, 2009
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GITA MITTAL, J