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

+ BAIL APPLN. 1665/2015

PRATEEK GUPTA

..... Petitioner

Through: Mr.K.K.Manan, Sr.Advocate with
Mr.Nipun Bhardwaj, Mr.Puneet
Singh Dhir, Mr.Ankush Narang,
Advocates.

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through: Ms.Alpana Pandey, APP.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **17.09.2015**

The petitioner seeks bail in FIR No.700/2015 (P.S.Vivek Vihar) instituted under Sections 304/308 IPC of the Indian Penal Code.

The petitioner is alleged to have driven his car in such a manner that it caused injuries to three persons, one of whom succumbed to the injuries. Out of the two surviving victims, one has received simple injuries whereas with respect to the other the opinion regarding the nature of injuries is still awaited.

The petitioner is in custody since 31.7.2015.

Counsel for the State has opposed the prayer for bail on the ground that the petitioner has indulged in drunken driving. In the MLC of the petitioner, alcohol to the extent of 80.7 mg/dl was found.

Counsel for the petitioner submits that since the petitioner was suffering from cough and cold, he had been administered cough syrup which had alcoholic content. Such contention is not worth accepting.

Be that as it may, considering the age of the petitioner as also the fact that he has joined investigation and is in custody since 31.7.2015, this Court is inclined to release him on bail but subject to following conditions.

The petitioner shall be released on bail on his furnishing a bond in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the concerned Metropolitan Magistrate.

The petitioner shall participate in the investigation and would not delay the conclusion of trial. He would furnish his mobile telephone number and the mobile telephone numbers of the sureties to the SHO of the concerned police station. The petitioner would not meet anyone of the victims or the relatives of the victims while on bail. Any attempt of the petitioner to tamper with the evidence or win over the witnesses would entitle the investigating officer to file an application for cancellation of bail.

With these observations, the application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 17, 2015

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