$~32

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

\+ BAIL APPLN. 1963/2016

SUNIL KUMAR ..... Petitioner
Through Mr. Rakesh Kumar, Advocate

versus

STATE (NCT OF DELHI) ..... Respondent
Through Mr. Kewal Singh Ahuja, APP for the State with SI Shri Bhagwan,

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

O R D E R

% 26.09.2016

Crl. M.A. 15006/2016

Exemption allowed subject to all just exceptions.

The application stands disposed of.

Bail Appl. 1963/2016

Issue notice.

Mr. Kewal Singh Ahuja, learned Additional Public Prosecutor accepts notice on behalf the State.

Learned counsel for the petitioner has submitted that the petitioner is an innocent person and a law biding citizen. He further submitted that an FIR No.285/2016 under Section 307/323/34 IPC has been registered. He further submitted that the co-accused Suraj Rawat has been granted regular bail after framing of charge sheet by the learned court of the District and Sessions Judge.

Learned counsel for the petitioner further submitted that no incriminating articles are yet to be recovered at the instance of the petitioner. He further submitted that the petitioner is in judicial custody since 22.08.2016. He also submitted that no fruitful purpose will be served if he is further kept in judicial custody and submitted that the petitioner is ready to furnish any term and condition imposed upon him by this court.

Learned Additional Public Prosecutor vehemently opposed the bail application and submitted that petitioner was avoiding the arrest and NBW was issued against him and thereafter, the accused has surrendered. The charge sheet is yet to be filed after attaining investigation from the petitioner. He also submitted that knife has been recovered from the co accused.

Since, the petitioner is in judicial custody dated 22.08.2016 and the co-accused has already been released on regular bail, the petitioner is admitted on bail on furnishing the bail bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the court below, subject to the condition that he will not leave the country without permission of the court below.

The bail application is allowed and accordingly disposed of.

I.S.MEHTA, J

SEPTEMBER 26, 2016
b