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

+ **BAIL APPLN. 2609/2016**

AMIR @ TATIA @ PATIYA Petitioner
Through: Mr.Mobin Akhtar, Adv.

versus

SZTATE (GOVT OF NCT OF DELHI) Respondent
Through: Mr.Kewal Singh Ahuja, APP for State
SI Arun Kumar, PS-Jamia Nagar

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

ORDER
% **20.12.2016**

CRL.M.A.19764/2016

Exemption granted, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2609/2016

This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner seeking grant of regular bail in case FIR No.743/2016, under Sections 307/34 IPC, registered at Police Station-Jamia Nagar, Delhi.

Counsel for the petitioner has submitted that the petitioner is an innocent person having no nexus with the allegations made in the FIR No.743/2016, under Sections 307/34 IPC, registered at Police Station-Jamia Nagar, Delhi. He has further submitted that the petitioner is in judicial custody since 23rd July, 2016 and is no longer required for further investigation in the present case. He has further submitted that trial is not

likely to conclude in near future and the continued incarceration of the petitioner will not serve any purpose and prays that the petitioner be released on regular bail.

Learned APP for the State has vehemently opposed the bail application and submitted that the petitioner is named in the FIR.

It is an admitted case of both the parties that the petitioner right now is in judicial custody since 23rd July, 2016 and the injured has been discharged from the hospital, therefore no further investigation is required.

Looking in the above facts and circumstances, since the petitioner is stated to be in judicial custody since 23rd July, 2016 and the injured has already been discharged from the hospital, no purpose would be served if the petitioner is kept in judicial custody as the trial is likely to take some time, consequently, the petitioner is granted bail on his furnishing a bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the concerned Court below with the condition that he should not influence the prosecution witnesses; he shall not tamper the prosecution evidence and he should not leave India without prior permission of the Court below.

The present bail application is disposed of accordingly. However, this order shall not affect the merit of the case.

Copy of the order be given *dasti*, as prayed.

I.S.MEHTA, J

DECEMBER 20, 2016/radhika