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

+ **BAIL APPLN. 829/2017**

RAHUL @ BINNY

..... Petitioner

Through Mr.Braj Bhushan Lal Kar, Adv. with
Mr.Ashok Kr. Singh, Adv.

versus

THE STATE NCT OF DELHI

..... Respondent

Through Dr. M.P. Singh, APP.
Insp.Virender Singh SHO/Bhalswa
Dairy.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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14.07.2017

Heard learned counsel for the petitioner and Dr.M.P. Singh, APP.

The petitioner seeks bail in connection with FIR No.443/2016 dated 27.08.2016 (PS Bhalswa Dairy) instituted for the offences under sections 302/308/323/452/34 of the IPC.

The petitioner is stated to be in custody since 05.09.2016.

Because of one Abhishek, one of the co-accused, having sent a message to the deceased, a fight took place. Abhishek and his associates including the petitioner are alleged to have assaulted the informant and others who came to the rescue of the informant. That assault led to simple injuries on the persons of the informant and others. While the accused persons were indulging in assault, two of the accused persons namely Abhishek and Vijay went upstairs and poured kerosene oil on the deceased

and set her on fire. The deceased died in hospital.

Taking into account the fact that another accused by the same name namely Vijay but with the alias name of Bitu had not participated in pouring of kerosene oil over the deceased, aforesaid Vijay @ Bitu was granted bail by a bench of this Court vide Bail Appln. 2218/2016 by order dated 06.03.2017.

The case of the petitioner stands on similar footing.

Considering the aforesaid facts, the petitioner Rahul @ Binny is directed to be released on bail on his furnishing a bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the Trial Court.

The petitioner shall participate in the trial and his absence from the trial proceedings on three consecutive occasions without there being any plausible reason, would entitle the Trial Court to initiate proceedings against him for cancellation of his bail.

The application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

JULY 14, 2017
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