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

+ BAIL APPLN. 1749/2017

MUKESH KUMAR

..... Petitioner

Through

Mr. A.C. David, Adv.

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Mr. Hirein Sharma, APP for State
with SI Balbeer Singh, PS Mandir
Marg.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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14.11.2017

Brief submissions made on behalf of either side.

Status report is on the record.

On behalf of State, it has *inter alia* been submitted to the effect that the applicant / petitioner was caught by the applicant / petitioner at the time of gun shot and the injury was inflicted by the one Shiv Dayal @ Chintu i.e. the co-accused, the brother of the applicant / petitioner.

It has been submitted *inter alia* on behalf of petitioner that there is a previous case between the master of the complainant and it was the master of the complainant, who was sought to be traced out by the applicant's brother.

As per the averments made in the FIR, the role attributed against the petitioner is to the effect that he had caught hold the injured, who was thereafter injured with the gun shot inflicted by the brother of the applicant / petitioner i.e. the co-accused.

Without any observations on the merits and demerits of the case and taking into account the factum that there are no previous antecedents against the applicant / petitioner and that the gun shot had been inflicted by the co-accused on the thigh of the injured and not on any vital part of the body of the injured, subject to the applicant joining the investigation and subject to the applicant not leaving the city without permission of the learned Trial Court and in the event the applicant being arrested, the applicant is allowed to be released on bail on furnishing personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the learned Trial Court.

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

ANU MALHOTRA, J

NOVEMBER 14, 2017/mk