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

+ **BAIL APPLN. 1637/2017**

PRADEEP KUMAR

..... Petitioner

Represented by: **Mr. Amit Kumar, Advocate.**

versus

STATE

..... Respondent

Represented by: **Ms. Meenakshi Chauhan, APP
for the State with SI Pramod,
PS Narela, Delhi.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

23.11.2017

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1. By this application the petitioner seeks anticipatory bail in case FIR No. 525/2017 under Sections 323/341/452/506/34 IPC registered at PS Narela, Delhi on the complaint of Sanjay Kumar.

2. In the first information report Sanjay Kumar alleged that he was a conductor of DTC Bus and on 1st July, 2017 at around 11.50 AM Yogesh was driving his motorcycle in a zigzag manner. On seeing this Sanjay Kumar advised him not to do so as the lane was small. However, Yogesh abused him, touched him with the side of the motorcycle and pushed him to the ground. Thereafter he started a scuffle and abused him. After sometime Yogesh returned with his brothers Gaurav, Sandeep and Billa. All of them inflicted injuries to Sanjay Kumar, Chand Ram and Yogesh by dandas, iron rods and bricks.

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3. As per the MLCs injuries of Sanjay Kumar and Yogesh (injured) have been opined to be grievous in nature. In the FIR Pradeep has not been named and the fourth person besides Yogesh, Gautam and Sandeep is Billa. This Court inquired from the Investigating Officer as to which witness identified Billa to be Pradeep and no statement recorded under Section 161 Cr.P.C. has been shown which would reveal that Pradeep has been named as Billa in the FIR.

4. Considering the nature of allegations and that Pradeep is not the main assailant, nor named in the FIR and the quarrel is initially took place with Yogesh who then called others, this Court deems it fit to grant anticipatory bail to the petitioner.

5. It is, therefore, directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that he will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of this Court.

6. Bail application is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

NOVEMBER 23, 2017
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