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

+ **BAIL APPLN. 1663/2017**

BAHAR KHAN

..... Petitioner

Represented by: Mr. Y.K. Gautam, Mr.
Rajender Singh, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
SI Rajiv Singh PS Mehrauli.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.12.2017

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By this petition the petitioner seeks anticipatory bail in case FIR No. 797/2013 under Sections 323/452/506/34 IPC registered on the complaint of M.C. Tomar.

In the complaint M.C. Tomar alleged that on 23rd July, 2013 at about 1.00 PM while he was sitting in the drawing room of his house suddenly two persons entered in his house with one person having iron rod in his hands. He abused the complainant and attacked him with iron rod. The complainant thus received an injury. When the complainant started shouting his son came where after the two persons who had intruded into the house of the complainant ran away.

Learned counsel for the petitioner states that despite the fact that the petitioner and complainant are known to each other, petitioner has not been

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named in the FIR. Petitioner has already joined the investigation and the case of the prosecution against the petitioner is not of identification on the spot but that the motorcycle used in the offence belongs to the petitioner. The motorcycle has already been recovered during the course of investigation and its ownership established by documentary evidence. Thus, this Court deems it fit to grant anticipatory bail to the petitioner.

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 and will not leave the country without the prior permission of the Court concerned.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

DECEMBER 06, 2017
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