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

+ **BAIL APPLN. 1887/2017**

NITIN KUMAR

..... Petitioner

Through: Mr.Hemant Singh and Ms.Kaushalya
Sharma, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Raghuvinder Varma, APP for
State.

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

ORDER
25.09.2017

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This is an application under Section 439 Cr.P.C. filed on behalf of the petitioner for grant of bail to him in case FIR No.333/2016, under Section 307/34 IPC, registered at Police Station Seema Puri, Delhi.

Learned counsel for the petitioner has submitted that the petitioner is a law student and has been falsely implicated in the present case. Counsel further submits that the petitioner is in judicial custody since 8th March, 2016. Counsel further submits that the petitioner is a young boy and his whole career is at stake and the injured has already been discharged from the hospital and nothing is to be recovered from or at the possession of the petitioner and the petitioner is not required for further investigation and he is

not a previous convict. Counsel further submits that the petitioner is ready to abide by any condition which may be imposed on him in the event of the present application being allowed and prays that the petitioner may be released on bail.

Learned APP for the State, on the other hand, vehemently opposes the bail application and submits that the weapon of offence i.e. one dragger is to be recovered from the co-accused, however, the co-accused has already been granted bail and the role of the present petitioner is different from that of the said co-accused and the petitioner has assaulted the complainant 12 times at the neck and if the petitioner is released on bail, there is strong apprehension of his jumping the bail and tampering the prosecution evidence.

Heard learned counsel for the parties and perused the record.

It is an admitted fact that the petitioner is a law student. Looking at the age of the petitioner to be 24 years since he is in judicial custody since 8th March, 2016 and the injured has already been discharged from the hospital, I admit the petitioner on bail, on his furnishing bail bond in the sum of Rs.20,000/- with one surety of the like amount to the satisfaction of the MM/Trial Court concerned with the condition that:

- i) The petitioner shall not leave the country without prior permission of the Court below;
- ii) The petitioner shall not contact the complainant/victim in any manner and also shall not visit the house of the complainant/victim.
- iii) The petitioner shall not tamper with the prosecution evidence.

The present bail application is allowed and stands disposed of accordingly.

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

I.S.MEHTA, J

SEPTEMBER 25, 2017
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