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

+ BAIL APPLN. 2165/2017

ANIT KUMAR JHA @ ANIL

..... Petitioner

Through: Mr.Sidharath Kapoor, Advocate

versus

STATE

..... Respondent

Through: Mr.Kewal Singh Ahuja, APP for the
State with SI Ravinder, PS Ali Pur

CORAM:

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **30.10.2017**

CrI.M.A.17594/2017

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

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1. The petitioner is seeking regular bail in case FIR No.339/2017, under Section 307 IPC registered at PS Alipur.
2. Notice. Learned APP as above accepts notice on behalf of the State and files the status report.
3. Learned counsel for the petitioner has submitted that the petitioner is in custody since 26th August, 2017 and it is a false case registered against him despite the fact that he himself was injured in this incident. It has also been submitted that since the police failed to take any action against Pramod, the father of the petitioner reported the matter to the DCP, Outer District (copy placed on record at page No.43 to 46) and thereafter a criminal complaint case has also been filed by father of the petitioner Anit

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Kumar Jha against Pramod – complainant/injured and Amit - another injured in this case.

4. Learned counsel for the petitioner has submitted that the petitioner is in custody for more than a month despite the fact that he himself has received injuries in this occurrence. It has been further submitted that when the petitioner was in hospital, he was arrested in this case just for the reason that the injuries suffered by Amit were stated to be ‘grievous’ in nature but this itself may not be made a ground to deny bail to the petitioner.

5. Learned APP for the State has submitted that injured remained hospitalised for a week and nature of the injury suffered by him is opined to be ‘grievous’ and that there is possibility that the petitioner may try to influence the witnesses, hence bail may not be granted.

6. Taking into consideration the facts mentioned in the FIR as well the facts in respect of the same incident as mentioned in the criminal complaint filed against the complainant and injured of this FIR, the petitioner is directed to be released on bail on his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of learned Trial Court/Link Court, subject to the condition that the petitioner shall not try to influence the witnesses in any manner whatsoever and shall not leave the country without the permission of the Court.

7. The bail application is allowed.

8. As prayed, copy of the order be given dasti to learned counsel for the parties.

PRATIBHA RANI, J.

OCTOBER 30, 2017

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