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

+ **BAIL APPLN. 2416/2017**

VIJAY KUMAR

..... Petitioner

Represented by: **Mr. Pinku Singh, Advocate.**

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Represented by: **Mr. Amit Gupta, APP for State.
Mr. Hemant Kumar, Ms. Ekta,
Mr. Aman Kumar, Mr. Ankit
Jhamb and Mr. Manish Kumar,
Advocate for respondent No. 2.
ASI Vinod Kumar, PS Subhash
Place.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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27.11.2017

Crl. M.A. 19498/2017 (Exemption)

Allowed, subject to all just exception.

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1. By this petition, the petitioner seeks anticipatory bail in FIR No. 424/2016 under Sections 498A/406/34 IPC registered at PS Subhash Place, New Delhi.
2. Notice. Learned APP for the State accepts notice.
3. The petitioner has already been declared a proclaimed offender on 8th November, 2017.

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4. Considering the decisions of the Hon'ble Supreme Court reported as (2012) 8 SCC 730 Lavesh Vs. State and (2014) 2 SCC 171 State of Madhya Pradesh Vs. Pradeep Sharma wherein it was held that normally when an accused is declared a proclaimed offender he should not be granted anticipatory bail. Thus the application of petitioner cannot be entertained as the petitioner has been declared a proclaimed offender.

5. Bail petition is dismissed.

MUKTA GUPTA, J.

NOVEMBER 27, 2017
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