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

+ **BAIL APPLN. 605/2018**

SUNNY SHARMA

..... Petitioner

Through Mr.Rahul Singh, Adv.

versus

STATE OF NCT DELHI

..... Respondent

Through Ms. Kusum Dhalla, APP with SI
Prashant, P.S. New Usmanpur

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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15.05.2018

Learned counsel for the petitioner submits that injured had stated before the doctor that he has sustained injuries due to battery explosion. This history has been recorded by the doctor in MLC. In the statement under Section 161 Cr.P.C., injured stated that when he was repairing a vehicle, he heard a loud sound and felt that something had entered in his waist. When he turned back, he saw Arshan and Sunny standing behind him. Arshan was having a pistol type thing in his hand; thereafter, they ran away. However, in his statement under Section 164 Cr.P.C., injured has stated that at about 5:00 pm, he saw that his brother-in-law, namely, Shahjad was talking with two other boys. Out of the said two boys, one was Arshan.

When he looked towards other side, he was shot by somebody and he fell down. He suspected hand of Shahjad in this as he was also having a pistol and had threatened to kill him in the past.

Learned APP for State submits that injured has sustained injuries due to gunshot. This fact is established during the investigation as bullet is still there in the body of injured. She further submits that injured has not sustained injuries due to battery explosion. She says that petitioner has been named by the injured in the statement under Section 161 Cr.P.C.

Petitioner is in custody for about five months. Investigations are complete and charge-sheet has been filed.

Keeping in mind the totality of the facts and circumstances of this case, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MAY 15, 2018
r.bararia