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

% Judgment delivered on: 19.11.2018
+ BAIL APPLN. 773/2018
AZAD Petitioner

versus

THE STATE GOVT. NCT OF DELHI Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Faheem Alam, Advocate.

For the Respondent : Mr. Hirein Sharma, APP for the State.
SI Anil Rathod, PS Neb Sarai.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

19.11.2018

SANJEEV SACHDEVA, J. (ORAL)

1. The petitioner seeks anticipatory bail in FIR No.41/2018 under Sections 308/34 IPC, Police Station Neb Sarai.

2. The allegations against the petitioner are that the complainant along with his friend Sharif were walking towards his house when he saw that the petitioner along with Arif and Sahil were beating a boy named Farookh. When the complainant and his friend Sharif intervened, two more boys named Talib and Nadim came with rods and started beating them and soon thereafter further two more boys named Aman and Rohit came with stick and assaulted all of them, on account of which, injuries were sustained by the complainant as well as Sharif.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated and the narration of the FIR clearly shows that there was no premeditation as the allegation is that after the altercation between the complainant and the petitioner took place, four boys came to the spot with sticks and rods and assaulted the complainant.

4. The petitioner was granted interim protection by order dated 10.04.2018 subject to joining investigation.

5. Learned APP for the State, under instructions from the Investigating Officer, submits that the petitioner did join investigation and the investigation is complete and chargesheet qua the petitioner has been filed.

6. Keeping in view of the fact that the petitioner did join investigation and the totality of facts and circumstances of the case, I am satisfied that the petitioner has been able to made out a case for grant of anticipatory bail. In the event of arrest, petitioner shall be released on bail by the IO/arresting officer/SHO concerned, on petitioner furnishing a personal bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the SHO/IO/Arresting Officer.

7. Petition is disposed of in the above terms.

8. Order *Dasti* under the signature of the Court Master.

NOVEMBER 19, 2018
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SANJEEV SACHDEVA, J