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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 998/2018 & CRL.M.A. 8291/2018**

JOGINDER YADAV

..... Petitioner

Through: Mr. Ravish Roshan & Mr. Kumar
Nikhil, Advocates.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr. Ashish Dutta, APP for State with
SI Amrender Singh, PS Jyoti Nagar.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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03.05.2018

Vide the present application, the applicant seeks grant of anticipatory bail qua the alleged commission of offences under Sections 336/506/34 of the Indian Penal Code, 1860 and under Section 25 & 27 of the Arms Act, 1959 submitting *inter alia* to the effect that the applicant is not even named in the FIR and that there is no overt act attributed to the applicant and that the firing in the instant case as per averments made in the FIR is also by one Billu and that the other co-accused persons have been granted bail which is also depicted in proceedings dated 20.04.2018 of the ASJ-01, Special Judge, POSCO Shahdara, KKD Courts in Bail Application no. 1207/18 of the present applicant.

On behalf of the State, it has been submitted that the applicant has been named in the FIR itself with an *alias* Fauji and that the

applicant is well known to the complainant as indicated as per averments made in the FIR itself, that the other co-accused who have been granted bail and still in custody and have been arrested in some other case by the Crime Branch and that there are previous adverse antecedents against the applicant though the dossier has yet to be collected and that the applicant was very much present as per the video shot by the complainant.

Without any observations on the merits or demerits of the case, on a consideration of the rival submissions and on a perusal of the averments made in the FIR which indicates the presence of the applicant at the time of the alleged commission of offence and an attempt made by the applicant along with co-accused persons intimidate the witnesses to defeat the rule of law, there is no ground for grant of anticipatory bail.

The application is rejected.

ANU MALHOTRA, J

MAY 03, 2018
NC