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

+ **BAIL APPLN. 1952/2018**

RINKU @ HITENDER @ PATHAN

..... Petitioner

Represented by: **Mr. Javed Alvi, Advocate.**

versus

STATE (N.C.T) OF DELHI

..... Respondent

Represented by: **Ms. Rajni Gupta, APP with SI
Ravinder Kumar, PS Bawana.
Mr. Harish K. Gupta, Advocate
for complainant.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

13.09.2018

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No. 326/2018 under Sections 307/34 and Sections 25/27 of the Arms Act registered at PS Bawana.

2. The above noted FIR was registered on the complaint of one, Satish Kumar, the injured who stated that on 28th July, 2018 in the evening at about 9:15-9:30 PM he was going to his house on foot. When he reached near the house of Pratap Pradhan he saw, Sunil, the grandson of Pratap Pradhan, and his friend, Pathan that is petitioner herein, sitting in the car and drinking. They were abusing each other. Since they were from the same village, the complainant tried to make them understand, on which Sunil started abusing him. In the meantime, mother of the Sunil along with elder brother of Sunil

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came there and instead of trying to make Sunil understand they misbehaved with the complainant. In the meantime, the mother of the Sunil went inside her house, came out with a revolver like thing which was then handed over to the Sunil who fired from the same. Thereafter they all fled away from the spot and so did the petitioner.

3. From the perusal of the FIR no active role has been attributed to the petitioner either by way of an exhortation or by any overt act. Pursuant to the interim protection granted by this Court, the petitioner has already joined the investigation. Thus, this Court deems it fit to grant anticipatory bail to the petitioner.

4. It is, therefore, directed that in the event of arrest the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount, subject to the satisfaction of the Arresting Officer/SHO concerned, further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and will not leave the country without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

SEPTEMBER 13, 2018

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