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

+ **BAIL APPLN. 20/2019**

BABU SANSI

..... Petitioner

Represented by: **Mr.Rajat Wadhwa and Ms.Ruchi
Kadwani, Advocates**

versus

STATE

..... Respondent

Represented by: **Ms.Rajni Gupta, APP for the State
with SI Rajiv, PS Rajouri Garden**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

17.01.2019

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1. By this petition, the petitioner seeks anticipatory bail in case FIR No.362/2018 under Sections 308/341/452/34 IPC and Sections 25 and 27 of the Arms Act registered at PS Rajouri Garden on the complaint of one Swami. The complainant alleged that on 12/13th June, 2018 at around 11:00 PM he and his friends were sitting in his office at TC-11, Raghubir Nagar, Delhi and Imtiaz had gone to get some food. After sometime complainant heard a gunshot at the door and when he came out he saw that Manoj had a pistol in his hand. Imtiaz was apprehended by Babu Sansi, the petitioner herein and Manoj @ Radar, Ashok @ Madu and Sanju were beating him. After that all of them barged into the office of the complainant. Sanjay broke one beer bottle lying over there and hit on the head of Imtiaz. Complainant and his friend Imtiaz sustained multiple injuries. Thereafter all

four of them fled away.

2. As noted above, the role assigned to the petitioner is that of catching hold when Manoj @ Radar, Ashok @ Madu and Sanju were giving beatings.

3. During the course of investigation, Manoj and Ashok had been arrested and has since been released on bail. In the order of charge, no charge under Section 308 IPC is framed and the matter has been remanded back to the learned Metropolitan Magistrate on consideration of the material placed before it.

4. Considering the facts noted above and that the role attributed to the petitioner is only of catching hold and no overt act of beating has been attributed to him, this Court deems it fit to grant anticipatory bail to the petitioner. 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 to the satisfaction of the Arresting Officer/SHO/ concerned Court further subject to the condition that the petitioner will join the investigation as and when directed by the Investigating Officer and in case of change of residential address the same will be intimated to this Court by way of an affidavit.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

JANUARY 17, 2019

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