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

+ **BAIL APPLN. 308/2019**

+ **BAIL APPLN. 311/2019**

(i) WAHAZUDDIN @ WAHAZU

(ii) ARUN KUMAR BALMIKI Petitioners
Through: Mr. Shaad Anwar, Advocate.

Versus

STATE Respondent
Through: Dr. M.P. Singh and Ms. Neelam
Singh, Additional Public
Prosecutors with Inspectors Arjun
Singh and Vijay Kumar.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
24.04.2019

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With the consent of both the sides, the above captioned applications have been heard together and are been disposed of by this common order.

Petitioners seek regular bail in FIR No. 160/11, under Sections 302/396/397/412/120B/34 of IPC & Sections 25/27 of Arms Act, registered at police station New Usmanpur, Delhi.

It is submitted that the case of petitioners is on better footing than that of case of co-accused-Zahid, who has been already granted bail by this Court vide order of 7th September, 2018 (*Annexure P-3*). It is submitted on behalf of petitioners that the role attributed to petitioners is

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of brandishing country made pistols while fleeing away from the spot, whereas role attributed to co-accused-*Zahid* is of firing at deceased and he has been already granted bail by this Court.

Upon hearing and on perusal of the status report and bail order of 7th September, 2018 (*Annexure P-3*) of co-accused- *Zahid*, I find that the case of petitioners is on better footing than that of co-accused- *Zahid* who has already granted a bail vide aforesaid order (*Annexure P-3*).

Without commenting upon the merits of the case, it is directed that petitioners be admitted to bail, subject to their furnishing bail bond in the sum of ₹25,000/- each with one surety in the like amount to the satisfaction of trial court concerned.

With aforesaid directions, both the applications are disposed of.

Dasti.


(SUNIL GAUR)
JUDGE

APRIL 24, 2019

v