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

+ BAIL APPLN. 2863/2018

ANISH KUMAR

..... Petitioner

Through: Mr. Kumar Mukesh and Mr. S.
Kumar, Advs.

Versus

STATE

..... Respondent

Through: Mr. Amit Chadha, APP for State
AND

BAIL APPLN. 2876/2018

PANKAJ KUMAR

..... Petitioner

Through: Mr. Kumar Mukesh and Mr. S.
Kumar, Advs.

Versus

STATE

..... Respondent

Through: Mr. Amit Chadha, APP for State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.01.2019

As per the FIR, petitioners are brothers of complainant. During the engagement ceremony of their youngest brother Anish on 07.07.2018 a quarrel ensued between the family members. Complainant has alleged that petitioners and co-accused Abhishek, Happy, Praveen, Ashwani and others gave beatings to him and his parents-in-law and two brothers-in-law. Complainant's father-in-law, namely, Budh Singh died in the hospital after six days of the incident. The allegations are that beatings were given by *danda* and bricks. It is prayed that petitioners may be admitted to bail.

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Learned APP submits that initially FIR was registered under Sections 323/341/34 IPC. However, subsequently, offences under Sections 308/304/354A/354B/376 were also added. The wife of complainant, namely, Lalita, in her complaint to Delhi Commission for Women (DCW), had stated that she was raped by her in-laws. It is submitted that offences are serious in nature, therefore, petitioners are not entitled to bail.

Learned counsel for the petitioners submits that no allegation of rape are there in the FIR, registered on 08.07.2018, as well as in the statement under Section 164 Cr.P.C. of Lalita recorded on 21.08.2018.

Keeping in mind the totality of the facts and circumstances of this case, petitioners are admitted to bail subject to their furnishing a personal bond in the sum of ₹25,000/- each with one surety each in the like amount to the satisfaction of the trial court.

Both the above-noted bail applications are disposed of in the above terms.

Dasti.

JANUARY 11, 2019
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A.K. PATHAK, J.