

\$~2

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

BAIL APPLN. 2385/2019

DANISH

..... Petitioner

Through: Mr. Arbind Kumar Garg, Advocate.

versus

STATE

..... Respondent

Through: Ms. Rajni Gupta, APP for the State
with SI Sangeet Singh PS Rajouri
Garden.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

%

19.02.2020

This is a petition filed by the petitioner under Section 439 Cr.P.C. for grant of regular bail in case FIR No. 405/2017 under Sections 307/34 IPC registered at Police Station Rajori Garden.

As per the case of the prosecution, complainant-Ajay, injured-Kuldeep, petitioner and Lakhan were all friends and on the date of incident i.e. 20.07.2017 at 12:10 a.m. when they were going towards Raghubir Nagar to smoke *ganja* an altercation took place between them. It is alleged that accused Lakhan had stabbed the injured Kuldeep on the left side of the stomach with a knife type object. The allegations against the petitioner are that he had caught hold of Kuldeep.

It is submitted by learned counsel for the petitioner that co-

accused has already been released on bail vide order dated 28.08.2019. He submits that the appellant is in judicial custody since 04.08.2017 and no useful purpose will be served by keeping him in judicial custody. It is submitted that as per MLC the nature of injuries sustained by the injured is simple in nature.

On the other hand, learned APP for the State vehemently opposes the bail application and she submits that the allegations against the appellant are grave and serious in nature and the injury was on a vital part with a sharp knife like object. On instructions from the IO, she further submits that complainant has to be examined today before the trial court.

Be that as it may, petitioner is in judicial custody since 04.08.2017 and his co-accused has already been released on bail, it is ordered that the petitioner be released on bail on his furnishing personal bond in the sum of Rs.20,000/- with one surety in the like amount, subject to the satisfaction of the Jail Superintendent.

The petition stands disposed of.

Dasti.

RAJNISH BHATNAGAR, J

FEBRUARY 19, 2020

AK