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

+ **BAIL APPLN. 80/2020**

NIRALE HASAN

..... Petitioner

Through: **Mr.Visheshwar Shrivastav, Advocate.**

versus

STATE

..... Respondent

Through: **Ms.Manjeet Arya, APP for State with
SI Raj Kumar, P.S. Neb Sarai, Delhi.**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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04.03.2020

1. The present application is filed under Section 438 Cr.P.C. on behalf of the petitioner seeking anticipatory bail in FIR No.402/2019, registered under Sections 308/323/34 IPC at Police Station Neb Sarai, Delhi.
2. Learned counsel for the petitioner submits that the petitioner has joined the investigation and the injuries suffered by the complainant have been opined to be simple in nature. He further submits that the co-accused has already been released on anticipatory bail.
3. Learned APP for the State, duly assisted by learned counsel for the complainant, on the other hand, has opposed the bail application. She, on instructions, submits that though the petitioner has joined the investigation, however, did not cooperate and the weapon of offence has not yet been recovered.

4. In view of the totality of the facts and circumstances of the case, it is directed that in the event of arrest, the petitioner be released on bail, on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned IO/SHO, subject to the following conditions:-

- (i) The petitioner shall join investigation as and when he is asked to do so.
- (ii) The petitioner shall not directly or indirectly make any inducement, threat or promises to the complainant or any witness during the trial or tamper with the evidence.
- (iii) The petitioner shall provide the I.O./SHO Police Station Neb Sarai with his mobile number and in the event of change of his residential address, shall inform the same to the I.O./SHO as well as to the concerned Court.
- (iv) The petitioner shall not leave the jurisdiction of the National Capital Territory of Delhi without prior permission of the concerned Court.

5. The bail application is disposed of in the above terms.

6. Copy of the order be given *dasti* to the learned counsel for the petitioner.

MANOJ KUMAR OHRI, J

MARCH 04, 2020
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