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

+ **BAIL APPLN. 711/2020**

DOLENDER SINGH @DOLI Petitioner

Through: **Mr. Vimal Puggal, Advocate**

Versus

THE STATE

..... Respondent

Through: **Mr. Raghuvinder Varma,**
Additional Public Prosecutor for
State with SI Vinod Kumar

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

% **13.03.2020**

CrI.M.A. 5416/2020

Allowed subject to all just exceptions.

BAIL APPLN. 711/2020

Petitioner is seeking anticipatory bail in FIR No. 89/2020, under Sections 33/38/58 of Delhi Excise Act, registered at police station Tilak Nagar, Delhi on the ground that he is innocent and has been falsely implicated in this case.

Notice.

Mr. Raghuvinder Varma, learned Additional Public Prosecutor for State, accepts notice.

Learned counsel for petitioner submits that petitioner has not been named in the FIR in question and has been implicated in this case after

recording of disclosure statement of co-accused. It is submitted that petitioner was not present at the spot at the time of alleged recovery of liquor from co-accused.

On the other hand, learned Additional Public Prosecutor for State has opposed this application on the ground that three boxes of liquor were recovered and petitioner is an active participant in the commission of the offence.

Heard.

In view of the fact that petitioner has not been named in the FIR in question and that petitioner was not present at the spot at the time of recovery of liquor and also keeping in mind the fact that petitioner is not a habitual offender and no other case is pending against him, he be released on anticipatory bail in the event of his arrest subject to his joining and cooperating in the investigation of this case, on his furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Investigating Officer concerned.

The applications stand disposed of in aforesaid terms.

Dasti.

BRIJESH SETHI, J

MARCH 13, 2020

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