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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPL. NO. 834/2020.**

KAYUM

..... Petitioner

Through: Mr. Vibhas Kumar Jha,
Advocate.

Versus

STATE OF NCT OF DELHI

..... Respondent

Through Ms. Meenakshi Dahiya,
Ld.APP for the State with
ASI Ajeet: PS Adarsh Nagar.

CORAM:
HON'BLE MR. JUSTICE BRIJESH SETHI

ORDER

11.05.2020

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The hearing has been conducted through video conferencing.

1. This is an application filed under Section 438 Cr.P.C. on behalf of the petitioner Kayum for grant of anticipatory bail in FIR bearing no. 335/2020, P.S. Adarsh Nagar, u/S. 308/34 IPC.

2. Ld. Counsel for the petitioner has prayed for anticipatory bail on the ground that petitioner is innocent and has been falsely implicated in the present case. The alleged cause of dispute between the parties was due to non-wearing of masks. It is further submitted that cross FIRs bearing no. 335/2020 and 336/2020 have been registered against both the parties. In the present FIR bearing no. 335/2020, six persons were injured and out of these six persons, MLCs of four injured have been received which show the nature of injury as simple whereas MLCs of remaining two injured persons

are yet to be received. It is further submitted that the matter between both the parties stand settled and on the basis of this settlement, the complainant and other co-accused persons in counter FIR No. 336/2020, PS Adarsh Nagar, u/S. 308/34 IPC have been granted regular bail. It is, therefore, prayed that petitioner be released on bail in the event of his arrest in the interest of justice.

3. Ld. APP for the state has opposed the anticipatory bail application on the ground that allegations against the petitioner are serious in nature. Petitioner is absconding and weapon of offence i.e. *Danda* is also yet to be recovered. Ld. APP has, therefore, prayed for dismissal of anticipatory bail application.

4. I have considered the rival submissions. The accused persons in FIR no. 336/2020, PS Adarsh Nagar u/S. 308/34 IPC have already been released on bail except the petitioner. Keeping in mind the facts and circumstances of the case, it is hereby ordered that in the event of arrest, petitioner be released on bail on his furnishing a Personal Bond in the sum of Rs. 10,000/- with one surety of the like amount to the satisfaction of the IO/SHO concerned.

5. Anticipatory bail application stands disposed of accordingly.

6. A copy of this order be uploaded on the website of this court.

BRIJESH SETHI, J

MAY 11, 2020/(AK)