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

+ **BAIL APPLN. 856/2024**

VIJAY@ VEERA

..... Petitioner

Through: Mr M. L. Yadav and Mr Harish
Chand, Advocates.

versus

STATE (N.C.T OF DELHI)

..... Respondent

Through: Mr Ritesh Kumar Bahri, APP for the
State with SI Kishan Chand, Police
Station Bindapur.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
12.03.2024

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1. The present petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in connection with FIR No.0691/2023 under Sections 307/34 IPC registered at Police Station Bindapur.
2. The case of the prosecution is that on the intervening night of 12/13.10.2023 the police received an information about a fight. When the police reached the spot of incident they found that the injured had been taken to the hospital. When police reached the hospital, the injured made a statement that he has been attacked by six persons, namely, Vijay @ Beera, (present petitioner), Gopal Verma, Suraj Giri, Pawan Punjabi, Aakash @ Chaawal and Vicky Gurjar which led to the registration of the aforesaid FIR.



3. Learned counsel for the petitioner invites the attention of the Court to the FIR wherein the petitioner has stated that he was having previous enmity with the accused persons. It is also recorded in the FIR that the injury was simple in nature.
4. He further submits that it is the accused persons who had taken the present petitioner to the hospital and the car of the present petitioner was also seized by the police from the compound of the hospital itself.
5. Notice was issued in this petition on 07.03.2024 with a direction to the State to file the status report. The status report has been handed over today in the Court, the same is taken on record.
6. It is not in dispute that the injury suffered by the petitioner is simple in nature. In fact it was the accused persons who had taken the petitioner to the hospital. However, the learned APP submits that the injured was left in the corridor of the hospital but at the same time it is a matter of record that the car of petitioner/accused was seized from the compound of the hospital. Even the MLC of the complainant records that one of the accused Aakash, who is stated to be a friend of the injured brought the injured and admitted him in the hospital.
7. Considering the aforesaid circumstances, this Court is of the view that the petitioner is entitled to anticipatory bail. Accordingly, it is directed that in the event of petitioner being arrested, he be released on bail subject to his furnishing Personal Bond in the sum of Rs. 25,000/- and a Surety Bond of the like amount to the satisfaction of the Investigating Officer /Arresting Officer further subject to the condition that he will join investigation and extend cooperation as and when directed by the IO concerned.
8. The petition stands disposed of.



9. Order *dasti* under signatures of the Court Master.
10. Order be uploaded on the website of this Court.

MARCH 12, 2024/MK

VIKAS MAHAJAN, J