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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1325/2016

JITENDER

..... Petitioner

Through Mr. Ashok Drall, Advocate

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through Mr. Izhar Ahmed APP for the State
along with SI Pardeep Rathi, P.S.
Mundka

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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29.06.2016

Crl. M. A. No.10093/2016

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 1325/2016

Learned counsel for the petitioner submits that petitioner is falsely implicated in the FIR No.239/2016 under Section 323/308/34 IPC. He further submits that injured has already been discharged from the hospital and requested that petitioner be released on anticipatory bail. He also submits that co-accused has already been granted regular bail and nothing is to be recovered from the possession of the present petitioner and allegation of the baseball bat which is weapon of offence is against the co-accused and not against

the present accused.

On the other hand learned APP opposed the bail application and submitted that baseball bat which is weapon of offence is yet to be recovered.

Keeping in view the facts and circumstances of the case that there is nothing mention regarding hitting or using the baseball bat by the present petitioner in the FIR and co-accused are already stated to be on regular bail, the petitioner is directed to join the investigation as and when called for by the concerned IO/SHO and in the event of his arrest he be released on anticipatory bail on his furnishing bail bond in the sum of Rs.20,000/- with one surety in the like to the satisfaction of the concerned Metropolitan Magistrate.

The bail application stands disposed of in the above terms.

Dasti.

**I.S.MEHTA
(VACATION JUDGE)**

JUNE 29, 2016

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