

(2018) 05 DEL CK 0352
In the Delhi High Court
Case No : BAIL APPLN. 967 OF 2018

NITIN @ NANGA

APPELLANT

Vs

THE STATE (NCT OF DELHI)

RESPONDENT

Date of Decision : 24-05-2018

Acts Referred:

Indian Penal Code, 1860 — Section 34, 308

Citation : (2018) 05 DEL CK 0352

Hon'ble Judges : SANJEEV SACHDEVA

Bench : Single Bench

Advocate : Hans Raj Singh, Mukesh Kumar

Judgement

1. The petitioner seeks regular bail in FIR No. 945/ 2015 under Sections 308, 34 of the IPC, registered at Police Station Sarai Rohilla, Delhi,
2. The allegations in the FIR are that the complainant's brother had made complaints against the petitioner and his friends. One evening when the complainant was walking in the street, a blow was inflicted on his head by someone from behind when he turned, he saw the petitioner holding an iron rod. It is alleged in the FIR that thereafter another co-accused hit the complainant with a stick and thereafter all of them beat him up.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated as there is rivalry between the petitioner as well as complainant.
4. Learned Addl. PP submits that the petitioner is Bad Character (BC) of the area and there are several cases registered against the petitioner.
5. Learned counsel for the petitioner submits that the complainant himself is a BC of the area and the petitioner has been falsely implicated at the

behest of the others in the area. Further, it is pointed out that the nature of injury sustained by the complainant is simple.

6. The petitioner has been in custody since 06.11.2016.

7. Without commenting on the merits of the case and perusal of the record shows that the petitioner has made out a case for grant of bail.

Accordingly, petitioner is directed to be released on bail on his furnishing a personal bond of Rs. 25,000/- with one surety of the like amount to the

satisfaction of the trial court, if not required in any other case. The petitioner shall not do anything which may prejudice either the trial or the

prosecution witnesses. The petitioner shall not make any endeavour to contact the complainant or any of the prosecution witnesses. The petitioner

shall not leave the country without permission of the trial court.

8. Order Dasti under signatures of the Court Master.

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