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

+ BAIL APPLN. 2180/2016

RINKU @ TOTA

..... Petitioner

Through :Mr. Amit Swami, Mr. B.L. Yadav and
Mr. Anand Prakash, Advs.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through : Ms. Neelam Sharma, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **20.12.2016**

Learned counsel for the petitioner submits that on the complaint of mother of the prosecutrix FIR No. 763/2014 under Section 363 IPC was registered at Police Station Ambedkar Nagar on 23rd October, 2014. As per the prosecution itself, prosecutrix along with her mother came to the police station on 25th October, 2014. Prosecutrix was sent to Prayas Shelter Home. Thereafter, on 27th October, 2014 statement of prosecutrix under Section 164 of the Cr.P.C. was recorded before the Metropolitan Magistrate, Saket Courts, New Delhi. It is further submitted that in her statement under Section 164 of the Cr.P.C., prosecutrix has stated that petitioner was known to her. On 23rd October, 2014, petitioner took her to a hotel and in the bathroom he touched

her private parts, but when she asked him not to do so, he left her. Thereafter, prosecutrix accompanied the petitioner to his brother's house and on 24th October, 2016 she returned to her house. Prosecutrix has given her age as 17 years. It is submitted that petitioner is in custody for more than five months. Investigation is over and charge-sheet has been filed. I have perused the statement under Section 164 of the Cr.P.C. of prosecutrix.

Keeping in mind the totality of circumstances, petitioner is admitted to bail, subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

DECEMBER 20, 2016

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