

\$~32

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2178/2016**
RAJ SHRIVASTAVA Petitioner
Through : Ms. Lubna Naaz and Mr. Rakesh
Sharma, Advs.
versus
STATE (GOVT OF NCT OF DELHI) Respondent
Through : Mr. Mukesh Kumar, APP with ASI
Devender Kumar PS Uttam Nagar.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **24.10.2016**

Learned counsel for petitioner submits that complainant Ms. Anshu Srivastava is sister in law (brother's wife) of petitioner. Ms. Sarita Kumari, wife of petitioner's brother Mr. Vinay Kumar, lodged a complaint to SHO PS Uttam Nagar on 11th September, 2015 against the complainant. Ms. Sarita Kumari has alleged in the complaint that complainant had forcibly entered their house and gave beatings to her husband Vinay Kumar (co-accused) and also threatened that she would falsely implicate them. Complainant has lodged the FIR on 13th September, 2015 under Sections 376/511/457/380/506/323/34 IPC against the petitioner and co-accused, as a counter blast. It is further submitted that in the FIR and statement under Section 164 Cr.P.C., no allegations of rape have been levelled against the

petitioner. The only allegation levelled against him is that petitioner had been threatening her. It is further submitted that attempt of rape has been levelled in the FIR against the accused Vinay Srivastava. It is further submitted that Vinay Srivastava has been granted bail by learned Additional Sessions Judge on 17th August, 2016.

Learned additional public prosecutor submits that allegations against petitioner are serious in nature. Complainant has alleged that he had been threatening by saying that he would implicate the complainant and send her to jail. He also threatened to kill the complainant and her family.

Keeping in mind the totality of facts and circumstances, as narrated above, it is ordered that in case of arrest, petitioner be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- (Rupees Twenty Five Thousand Only) with one surety of the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO concerned. Petitioner shall, however co-operate in the investigation and appear before the Investigating Officer, as and when called upon to do so.

Application is disposed of in the above terms.

A.K. PATHAK, J.

OCTOBER 24, 2016/dk