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

+ **BAIL APPLN. 178/2017**

VAN THUM

..... Petitioner

Through: Mr. Aditya Aggarwal and Ms. Samia
Malik, Advs.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through: Ms. Meenakshi Dahiya, APP for
State.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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14.09.2017

Learned counsel for the petitioner submits that petitioner is in judicial custody for the last two years. Prosecutrix and her mother have already been examined. Prosecutrix, in her statement, has not alleged forced sex. Prosecutrix deposed that she was in love with the petitioner. Mother of the prosecutrix has also not supported the prosecution story. It is further submitted that petitioner and prosecutrix both are Burmese. Learned counsel further submits that material witnesses have already been examined. Trial is likely to take time. He has placed reliance on State of Punjab vs. Rakesh Kumar MANU/SC/7985/2008 to contend that Supreme Court awarded sentence of 3 years to accused who was held guilty for the offence under Section 376 IPC for having committed rape on a girl below the age of

16 years.

Keeping in mind the above facts, petitioner is released on bail, subject to his furnishing a personal bond in the sum of ₹10,000/- with one surety in the like amount to the satisfaction of the trial court.

Dasti.

A.K. PATHAK, J.

SEPTEMBER 14, 2017
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