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

+ **BAIL APPLN. 2529/2016**

RAJENDER KUMAR @ RAJAN

..... Petitioner

Represented by: Mr. G.S. Sharma, Mr. V.K.
Sharma, Advs.

versus

STATE (GNCT OF DELHI)

..... Respondent

Represented by: Mr. Ravi Nayak, APP with SI
Brham Prakash PS Ambedkar
Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

22.02.2017

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By the present petition the petitioner seeks bail in case FIR No. 24/2014 under Section 377/506 IPC and Section 4 of the Protection of Children from Sexual Offences Act (in short the POCSO Act) registered at PS Ambedkar Nagar.

Learned counsel for the petitioner submits that immediately on registration of FIR the petitioner was arrested and is in judicial custody since 14th January, 2014. Out of 11 witnesses required to be examined by the prosecution 7 have already been examined including the victim. The trial is likely to take some more time and since the petitioner has already spent nearly half of the minimum sentence that can be awarded, he be released on bail.

BAIL APPLN. 2529/2016

page 1 of 2

The allegations against the petitioner are of taking the victim aged 13 years old boy to a park and sexually abusing him. Allegations of oral and anal sex have been levelled. The victim reiterated his statement under Section 164 Cr.P.C. and also when examined before the learned Trial Court.

Be that as it may, considering the fact that the victim and material public witnesses have been examined and the petitioner has been in custody for more than last three years and the trial is still likely to take some time, this Court deems it fit to grant bail to the petitioner. Consequently, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety bond of the like amount subject to the satisfaction of the learned Trial Court further subject to the condition that the petitioner will not leave the country without the prior permission of the Court concerned and will intimate any change of address by way of affidavit.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

FEBRUARY 22, 2017
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