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

+ **BAIL APPLN. 2635/2016**

BIMLESH RAI

..... Petitioner

Through : Mr.R.P.Shukla, Advocate with
Mr.Dhananjay Singh & Ms.Upasana
Shukla, Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through : Mr.Akshai Malik, APP with ASI
Kiran Sethi.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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06.01.2017

CRL.M.A.No.19962/2016 (Exemption)

Exemption allowed subject to all just exceptions.

The application stands disposed of.

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1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.355/2015 registered under Sections 376/323/506/452/228A IPC at PS Anand Parbat. Status report not filed.

2. I have heard the learned counsel for the parties and have examined the file. The petitioner is in custody since 18.02.2016. Admittedly, he was granted interim bail on various occasions and

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there are no allegations of its misuse. The petitioner is suffering from Hepatitis B and is getting treatment from Govind Ballabh Pant Hospital. The prosecutrix is a married divorcee lady. She has a daughter aged around 15 years. The petitioner and the victim lived in the neighbourhood. Allegations are that the petitioner inserted finger in victim's vagina. The investigation is complete. Charge-sheet has since been filed. It is informed that the prosecutrix is not deliberately appearing before the Court to record her statement.

3. Considering the facts and circumstances of the case, the petitioner is admitted to bail on furnishing personal bond in the sum of ₹ 50,000/- with one surety in the like amount to the satisfaction of the Trial Court.

4. The bail application stands disposed of.

S.P.GARG, J.

JANUARY 06, 2017 / tr