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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1546/2017**

ROHIT

..... Petitioner

Through: Mr.Varun Rai Sharma, Advocate

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.Hiren Sharma, APP for the State
With SI Pankaj Kumar, PS Mayapuri

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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24.10.2017

Arguments address on behalf of either side.

It is submitted on behalf of the applicant that the applicant is in custody since 23rd April, 2017 and that the applicant is aged 21 years and there are no previous antecedents of the applicant. It is further submitted on behalf of the applicant that the applicant is not named in the FIR and that there are no allegations against the applicant in relation to the alleged sexual assault to the victim and the only allegation against the applicant is the physical assault on the father of the minor child that the injury sustained by the father of the minor child is only 'simple' and it has also been submitted on behalf of the applicant that the two other co-accused in the instant case are on bail in relation to which it is submitted on behalf of the State that the other two accused on bail, namely, Bharat and Goli are Juveniles in conflict with law and thus on bail and that the applicant is the brother of the

main accused Amit @ Kannu and that the release of the applicant on bail would cause great trauma to the victim and would also prejudice the trial and proceedings and that the applicant can also tamper with the evidence and torture witnesses.

On a consideration of the rival submissions, statement Under Section 164 of the Cr.P.C. of the child and on perusal of the FIR and the statements under Section 161 Cr.P.C. of other witnesses examined during the investigation and taking into account the factum that the applicant is in custody since 23.4.2017 and has no previous adverse antecedents, the applicant is allowed to be released on bail on his furnishing a personal bond in the sum of Rs.1,00,000/- with one surety of the like amount to the satisfaction of the Trial Court with the direction that he would not tamper with the evidence in any manner and shall not intimidate the witnesses and he shall not leave the country without the permission of the Trial Court.

The Bail Appln. No.1546/2017 is disposed of.

A copy of order be given *dasti*, as prayed.

ANU MALHOTRA, J

OCTOBER 24, 2017/sv