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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 1631/2017

JITENDER RAMANI

..... Petitioner

Through

Mr. M P Sinha, Ms. Shraiya and
Mr. Gaurav, Advocates

versus

STATE (DELHI ADMN)

..... Respondent

Through

Mr. M S Oberoi, APP for State with
W/SI Ekta, PS Nangloi

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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21.09.2017

Learned counsel for the petitioner submits that the petitioner is in Judicial Custody for about 2 years. Learned counsel for the petitioner further submits that as per the statement of the prosecutrix under Sections 161 & 164 CrPC, the petitioner had not committed rape on her. The only role attributed to the petitioner by the prosecutrix is that he told the prosecutrix that Deepak was calling her at 'Lala's shop' and when she went at the shop, Deepak was not present. Petitioner came there and told her that Deepak had gone to Sonia Hospital and insisted that she should meet him and took her to Sonia Hospital where Deepak was present. Thereafter, he left.

It is further sated by the prosecutrix that from the hospital, Deepak took her to a banquet hall where he kept her confined and committed rape on her.

Learned APP has opposed the application. He has submitted that petitioner had enticed the prosecutrix and took her to Sonia Hospital and left her there with Deepak, in order to facilitate the offence of rape by Deepak. He had abated Deepak to commit rape. Accordingly, charges under Sections 109/363/363A/34 IPC r/w Section 17 & 6 of POSCO Act, have been framed against the petitioner.

Keeping in mind the facts and circumstances, as detailed above, more particularly the role of the petitioner, it is ordered that the 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 in the like amount to the satisfaction of the trial court.

Bail application is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

SEPTEMBER 21, 2017

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