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

+ **BAIL APPLN. 2029/2017**

MUKESH @ DAKKI

..... Petitioner

Through : Mr. Vimal Puggal, Adv.

versus

THE STATE

..... Respondent

Through :Ms. Meenakshi Dahiya, APP with SI
Om Prakash, P.S. Anand Parbat

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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11.10.2017

Crl. M.A. No. 16589/2017 (exemption)

Allowed, subject to all just exceptions. Application is disposed of.

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It is submitted that petitioner is in custody for the last three years. By placing reliance on the statement of PW2 (victim), learned counsel for the petitioner has contended that there are no allegations of carnal sex against the petitioner . The only allegation against him is that he was present with the co-accused and had given beatings to the victim. Allegations of anal sex with the victim are only against the co-accused Akshay @ Ajjju.

Learned APP contends that petitioner was very much present there

along with the co-accused. He did not object when unnatural sexual act was committed by the co-accused Akshay @ Ajj, inasmuch as he gave beatings to the victim.

Keeping in mind the totality of facts and circumstances as detailed above and the role assigned to the petitioner, it is ordered that petitioner be released on bail, subject to his furnishing a personal bond in the sum of ₹20,000/- (Rupees Twenty 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.

OCTOBER 11, 2017

r.bararia