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

+ **BAIL APPLN. 314/2018**

MANOJ KUMAR MAHTO

..... Petitioner

Represented by: Mr. Ram Anugrah Singh and
Mr. Anubhav Chaturvedi,
Advocates.

versus

THE STATE OF NCT OF DELHI

..... Respondent

Represented by: Ms. Rajni Gupta, APP for State
with SI Jasbir Malik, PS
Ranhola.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

15.05.2018

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1. By this petition the petitioner seeks bail in case FIR No.497/2016 under Sections 376/506 IPC registered at PS Ranhola, Delhi.

2. In the above noted FIR the complainant/prosecutrix alleged that she had earlier worked with the wife of the petitioner who was running a placement agency in the area of Shakarpur, Delhi. She was also sent to Bareilly, Uttar Pradesh by the wife of the petitioner to work as a housemaid for 1½ years. After she returned to Delhi from Bareilly, she went to her native place at Jharkhand. Since the complainant was in need of the job, she contacted the petitioner who assured that he would provide her some job in Delhi. On the assurance of the petitioner, prosecutrix came to Delhi on 27th June, 2016. She was brought by the petitioner to his house at Nangli Vihar Extension, Baprola, Delhi. In the morning at around 5.00 AM when the

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prosecutrix wanted to go to the washroom, the petitioner took her on the first floor and committed rape upon her against her will. After one day, that is, on 29th June, 2016 the petitioner again committed rape on her in his house at night. The prosecutrix escaped from the house of the petitioner and made a call at 100 number whereafter the abovenoted FIR was registered and she was medically examined.

3. Petitioner was arrested on 1st July, 2016 and is in custody since then. Prosecutrix has since been examined before the learned Trial Court. As per the FSL report of the DNA analysis, no male DNA profile was generated from the exhibits of the prosecutrix, that is, cervical mucus, vaginal swabs and vaginal wash etc.

4. Considering the fact that the prosecutrix has since been examined, the petitioner has been in custody for two years and the trial is likely to take some more time as all the other witnesses are yet to be examined, this Court deems it fit to grant bail to the petitioner. It is, therefore, directed that the petitioner be released on bail on his furnishing a personal bond in the sum of ₹25,000/- with one surety 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 NCT of Delhi without prior permission of the Court concerned and in case of change of residential address the same will be intimated to the Court concerned by way of an affidavit.

5. Petition is disposed of.

6. Order dasti.

MUKTA GUPTA, J.

MAY 15, 2018

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