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

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Judgment delivered on: 10.05.2018

+ BAIL APPLN. 390/2018

ARJUN

..... Petitioner

versus

THE STATEE (GOVT.OF NCT)

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Jai Subhash Thakur, Advocate.

For the Respondent : Mr. Mukesh Kumar, APP for the State.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

10.05.2018

SANJEEV SACHDEVA, J. (ORAL)

BAIL APPLN. 390/2018

1. Petitioner seeks regular bail in FIR No.145/2017 under Section 376 IPC, Police Station Prashant Vihar.

2. The allegations against the petitioner are that the petitioner on a false pretext of marriage made physical relationship with the prosecutrix. The petitioner has been in custody since 30.04.2017.

3. It is informed that the matter has been listed before the Trial Court seven times for recording statement of the prosecutrix. Learned

APP for the State informs that the prosecutrix is not coming forward so as to record her testimony and she is not even traceable and efforts made to trace out the prosecutrix at her native place in Assam, Guwahati were unsuccessful.

4. Without commenting upon the merits of the case, perusal of the record shows that the petitioner has made out a case for grant of bail.

5. In view of the above, the petitioner shall be released on bail, subject to the petitioner furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Trial Court, if not required in any other case . The petitioner shall not do anything which shall prejudice either the Trial or the prosecution witnesses. The petitioner shall not make any endeavour to contact the prosecutrix or her family. The petitioner shall not leave the country without the permission of the Trial Court.

6. The petition is disposed of in the above terms.

7. Order *Dasti* under the signatures of the Court Master.

SANJEEV SACHDEVA, J

MAY 10, 2018/st