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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 726/2018**

MANISH @ MOHIT

..... Petitioner

Through: Mr.M.S. Hussain, Advocate

versus

THE STATE (N.C.T OF DELHI)

..... Respondent

Through: Mr. Ashish Dutta, APP for the State.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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05.07.2018

The name of the applicant has figured in the investigation into FIR No. 278/2017 involving offences punishable under Sections 354/354B/323/34 IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012 of police station Geeta Colony and he apprehends arrest by the investigating officer.

Status report has been received.

Both sides have been heard. Record has been perused.

The incident occurred sometime around 11.30 a.m. on 3rd July, 2017 statedly at the house of first informant in Geeta Colony, Delhi. The applicant is described as younger brother of Geeta at whose instance the assailant (identified as person named Sohail) had committed the offence of assault intended to outrage the modesty of the victim, the role attributed to the applicant being that he would pass certain comments.

The counsel for the petitioner has submitted that both parties are related to each other and that in the incident the members of the family of the applicant were also injured and that in this regard the cross FIR it bearing no. 279/2017 was registered on the same date.

Having regard to the facts and circumstances a case for release of the applicant on anticipatory bail is made out.

Thus, it is directed that in the event of the petitioner being arrested, he shall be released on bail by the arresting officer on furnishing personal bond in the sum of Rs.10,000/- with one surety in the like amount subject to the following further conditions:-

- (i) The petitioner shall continue cooperating with the investigation and join the same as and when called upon to do so;
- (ii) The petitioner shall not come in contact with or try to influence any of the witnesses connected to the case;
- (iii) Prior to his release, he shall give the telephone numbers of self and of at least one other responsible family member besides that of the surety to the investigating officer;
- (iv) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
- (v). He shall not leave India without the prior permission of the court of cognizance or the trial court, as the case may be, and to ensure due compliance with this condition and shall deposit his passport, if he holds one, with the said court; and

(vi) This order will inure only till the date of first appearance of the petitioner in the event of a charge-sheet being filed on conclusion of the investigation and process being issued against him by the court of cognizance.

Dasti.

R.K.GAUBA, J.

JULY 05, 2018

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