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

+ **BAIL APPLN. 1234/2018**

RAJKUMAR

..... Petitioner

Represented by: Mr. Mukesh Birla, Advocate.

versus

STATE (NCT OF DELHI)

..... Respondent

Represented by: Ms. Rajni Gupta, APP with SI Ved
Prakash, PS Malviya Nagar.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

06.12.2018

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By this petition, the petitioner seeks bail in case FIR No. 253/2017 under Sections 354/376/506 IPC and Section 4 and 8 of Protection of Children from Sexual Offence Act in short 'POCSO Act' registered at PS Malviya Nagar.

Learned counsel for the petitioner contends that the petitioner is in custody since 7th July, 2017 and all material witnesses have been examined. Statement of the prosecutrix does not inspire confidence. The families were on visiting terms. Since material witnesses have been examined and trial is likely to take some time, petitioner be released on bail.

Learned APP for the State taken this Court to the testimony of the prosecutrix wherein she has amply explained that the petitioner was working

with his mother and thus visiting the house, however, whenever the prosecutrix was alone he touched her inappropriately and on 23rd May, 2017 when his mother was not present he forcibly committed rape on her. As per the MLC the hymen of the prosecutrix was not intact and torn.

Considering the nature of allegations and that the version of the prosecutrix is supported by the medical evidence, this Court finds no ground to grant bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

DECEMBER 06, 2018
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