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

+ **BAIL APPLN. 1547/2018**

PIYUSH KR. GUPTA

..... Petitioner

Represented by: **Mr. Ramesh Gupta, Senior
Advocate with Mr. Amit
Saxena, Advocates.**

versus

STATE

..... Respondent

Represented by: **Mr. Amit Ahlawat, APP for the
State with ACP Amit Kaushik,
SI Manoj Kumar, PS IP Estate.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.07.2018

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1. By this application, the petitioner seeks bail in case FIR No. 226/2017 under Sections 304/308/120B/34 IPC r/w Section 7/9 Prohibition of employment as Manual Scavengers Act and Their Rehabilitation Rules 2013 & Section 3(j) of SC/ST (POA) Act registered at PS IP Estate, Delhi.

2. The above noted FIR was registered pursuant to information received regarding unconsciousness of a man who had gone down to clean the sewer line at PS IP Estate. It was revealed that one Rishipal aged 48 years was declared brought dead whereas three victims namely, Kiran, Bishan and Sumit were given treatment.

3. Sumit one of the victims on whose statement FIR was registered stated that he was working as a sewer man at Loknayak Hospital on contract basis through M/s. Anup Enterprises for the last one year. In the morning of 20th August, 2017 he along with two other men, namely, Rishipal and

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Bishan, were picking up garbage in Loknayak Hospital when one Prem Sagar, Beldar of PWD and Mahesh supervisor of M/s Anup Enterprises came to them and directed them to clear the sewer line behind ward No. 13 and 14 of Loknayak Hospital. Since no safety measure like oxygen cylinder, mask and safety belt were provided, while claiming the sewer Rishipal died and three of them became unconscious. It is the case of the complainant that the supervisor Mahesh on behalf of Contractor had directed that to clean the sewer line and if they did not clean it then they would be removed from the services. In fear of losing their jobs, they decided to enter into the sewer.

4. Petitioner has been in custody since 17th April, 2018. Charge sheet has been filed. Considering the fact that the investigation is complete and the trial is likely to take some time, this court deems it fit to grant bail to the petitioner.

5. 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 India without the prior permission of the Court concerned.

6. Petition is disposed of.

7. Order dasti.

MUKTA GUPTA, J.

JULY 16, 2018

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