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

+ **BAIL APPLN. 2425/2018**

MSANUEL KISKU @ PREM KISKU

..... Petitioner

Through: Mr. Shailendra K. Singh, Advocate
with Mr. Arun Pathak, Adv.

versus

STATE

..... Respondent

Through: Mr. Ashish Dutta, APP for the State
with ASI Karan Singh, PS Mukherjee
Nagar.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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12.10.2018

CrI.M.A. 34243/2018 (exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

BAIL APPLN. 2425/2018

The role attributed to the petitioner in case FIR No.1480/2014 of Police Station Mukherjee Nagar is that he was the person who had brought the victim from Jharkhand to Delhi where she was employed as a maidservant. It is alleged that the victim was aged 12 years on the relevant date. There is no case of kidnapping made out as no witness from the family of the victim girl has spoken about the applicant having brought her to Delhi without the consent of the lawful guardian.

The learned Additional Public Prosecutor confirms that there is no school or municipal record respecting the age of the victim. The medical

opinion given by Babu Jagjivan Ram Memorial Hospital on the basis of examination on 24.12.2014 is that she may have been a person aged between 16 to 18 years.

The petitioner has been in custody since 26.07.2018. The investigation has already been concluded and charge sheet filed. No useful purpose would be served by keeping the petitioner/applicant in custody. Thus, the petition is allowed. The case for release on bail is made out. Granted accordingly subject to the following conditions:-

- (i). The petitioner shall furnish personal bond in the sum of Rs.20,000/- with one surety in like amount to the satisfaction of the trial court;
- (ii). 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 trial court;
- (iii). He shall scrupulously appear at each and every stage of the proceedings before the trial court so as not to cause any obstruction or delay to its progress;
- (iv). He shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected;
- (v). 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 from disclosing such facts to the Court or to any police officer or tamper with the evidence; and
- (vi). 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.

The bail application is disposed of in these terms.

A copy of this order shall be transmitted to the jail authorities and to the trial court.

Dasti under the signature of Court Master.

OCTOBER 12, 2018/vk

R.K.GAUBA, J.