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

+ **BAIL APPLN. 1669/2017**

RAFAT SHARAFAT KHAN

..... Petitioner

Through

Mr.F.A.Khan with Mr.M.Noman-Ul-Haq, Advocates

versus

STATE NCT OF DELHI

..... Respondent

Through

Mr.Akshai Malik, APP for State with SI Meenakshi, P.S.Timarpur

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.01.2018

1. The petitioner seeks anticipatory bail in FIR No. 178/2017, Police Station, Timar Pur under Section 376 IPC. Learned counsel for the petitioner contends that after the investigation Sections 354/354A/506/509 IPC have also been subsequently added.

2. Learned counsel for the petitioner contends that the only allegation against the petitioner is that the petitioner along with co-accused Nishwat and Nishat used to abuse the complainant and physically and mentally harass her and used to ask her to take money to settle the case. It is contended that apart from this allegation against the petitioner there is no other allegations against him of committing the offence under section 376 or even causing physical harm to the complainant. Learned

counsel submits that the co-accused Nishat has been enlarged on regular bail whereas all other co accused have been enlarged on anticipatory bail.

3. It may be noticed that petitioner was granted interim protection and thereafter had joined investigation on 28th August, 2017. There is no allegation that he has misused the liberty.

4. Considering the allegations in the FIR, as well as the status report, I am of the view that it is a fit case for grant of anticipatory bail to the petitioner.

5. Accordingly, in view of the above, in the event of his arrest, the petitioner shall be released on bail by the Investigating Officer/SHO/Arresting Officer on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of the like amount, subject to the condition that the petitioner shall not indulge in any activity which could be prejudicial to the fair investigation/trial of the case.

6. The petition is accordingly disposed of.

7. Order Dasti under the signatures of Court Master.

JANUARY 11, 2018
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SANJEEV SACHDEVA, J