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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1908/2017**

SACHIN

..... Petitioner

Through : Mr Biswajit Kumar Patra, Advocate.

versus

STATE

..... Respondent

Through : Ms Anita Abraham, APP.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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05.02.2018

1. The petitioner seeks bail in case FIR No.368/2012 under Sections 328/365/366/368/376(2G)/506/34 IPC.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the said case and is not named in the FIR.
3. The allegations in the FIR are that the complainant was kidnapped by four boys, though, in the FIR, only two boys are named, i.e. Sumit and Raj, the petitioner is not named in the FIR.
4. The case of the prosecution is that the petitioner was spotted by the complainant at a public place and on her pointing out, the

petitioner was arrested.

5. Learned counsel for the petitioner contends that there is a discrepancy in the said contention as the prosecutrix in her evidence before the Court in cross-examination, has stated that the petitioner was shown to her in the Police Station and she had not pointed out the petitioner at the public place.

6. Further, it is contended that the other co-accused Sumit and Raj *alias* Ritesh have already been granted bail on 23.01.2018.

7. Keeping in view the fact that the prosecutrix and the material witnesses cited by the prosecution already stand examined and no other material public witness remains to be examined and also the fact that the co-accused have already been admitted to bail, without commenting upon the merits of the case, the petitioner is admitted to bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety of like amount to the satisfaction of the Trial Court. The petitioner shall not do anything, which shall either prejudice the trial or prosecution witnesses. The petitioner shall not make any attempt to contact the prosecutrix.

8. The Bail Application is disposed of in the above terms.

9. Order Dasti under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 05, 2018/8D'