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

+ **BAIL APPLN. 2395/2017**

BHISHAM SHARMA

..... Petitioner

Through : Mr. Sumit Choudhary with Mr. Kanwar
Kochhar, Advocates

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through : Mr. Ravi Nayak, APP for State with SI
Pooja, P.S. Ranhola

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

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31.01.2018

Crl.M.A.No.19323/2017 (Exemption)

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

BAIL APPLN. 2395/2017

1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.294/2017 registered under Sections 376D/506 IPC at Police Station Ranhola. Status report is on record.
2. I have heard the learned counsel for the parties and examined the file. Upon completion of investigation, charge sheet has been

filed. Learned counsel for the petitioner informed that the matter was listed before the trial court to record the statement of the prosecutrix but she did not turn up and bailable warrants have been issued by the Trial Court against her. On perusal of the status report, it reveals that the prosecutrix was acquainted with the petitioner prior to the incident and there were money transactions between them. There is considerable delay in lodging the FIR. The petitioner was granted interim bail for a period of two months and there are no allegations of its misuse. The petitioner is in custody since 07.07.2017.

3. Learned counsel for the petitioner referred to letter dated 05.07.2017 written to the DSP to seek permission to arrest the petitioner. In the said application, it was specifically recorded that the CDR confirmed the presence of the petitioner at relevant time at his residence at Baprola, Bihar and there was no conversation with the prosecutrix.

4. Considering the facts and circumstances of the case, the petitioner is admitted to bail on his furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the Trial Court.

5. The petitioner shall not contact the prosecutrix and other witnesses and shall not criminally intimidate them in any manner.

6. The application stands disposed of.

7. Order *dasti*.

S.P.GARG, J.

JANUARY 31, 2018/ns