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

+ **BAIL APPLN.313/2019**

VISHAL KUMAR

..... Petitioner

Through: Mr. M.N. Dudeja, Advocate with
Mr. Anuj Chauhan, & Mr. Neeraj
Bhardwaj, Advocates

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Kewal Singh Ahuja, APP for the
State with SI Niraj Kumar PS Laxmi
Nagar (Previously PS Shakarpur).

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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06.02.2019

Crl.M.A.2744/2019 (exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

BAIL APPLN.313/2019 and Crl.M.(B) 233/2019

The status report filed.

The petitioner was arrested during the course of investigation into first information report (FIR) No.132/2018, Police Station Laxmi Nagar (previously PS Shakarpur) on 29.03.2018. Barring a short period for which he is stated to have been released on interim bail, he has been in judicial custody ever since. His prosecution is based on charges framed on 09.07.2018 for offences under Section 8 of the Protection of Children from

Sexual Offences Act, 2012 and Sections 354-A/354/506/509/323 of Indian Penal Code, 1860 (IPC). The learned Additional Public Prosecutor confirmed, on instructions, that all the public witnesses including the prosecutrix have already been examined.

Having regard to the nature of offences involved and in the facts and circumstances of the case, the petition is allowed. The petitioner is directed to be released on bail, subject to the following conditions:-

(i). The petitioner shall furnish personal bond in the sum of Rs.25,000/- 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.

Both the applications stand 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.

FEBRUARY 06, 2019

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R.K.GAUBA, J.