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

+ **BAIL APPLN. 661/2019**

SHAHZAD SIKANDER ULDE

..... Petitioner

Through: Mr Shreeyash Lalit and Mr Aamir
Chaudhary, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr Amit Gupta, APP for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.09.2019

1. The petitioner has filed the present petition seeking bail in connection with FIR No. 241/2018 under Sections 376/38 of the Indian Penal Code, 1860 registered at PS New Friends Colony, South-East, Delhi.
2. The present petition was moved on 15.03.2019 and was directed to be listed on 23.04.2019. The petitioner's request was not acceded to as, on the said date, the prosecutrix was yet to be examined. Her examination was scheduled on 22.05.2019. Accordingly, the learned Trial Court was requested to examine the prosecutrix on the date fixed, that is, 22.05.2019 and conclude the examination and cross-examination expeditiously. This Court is now informed that the testimony of the prosecutrix has been recorded.
3. It is also seen from the testimony of the prosecutrix that she claimed to have deposited certain sums in the bank account of the accused. It is contended on behalf of the petitioner that this is not substantiated by the

documents on record. This Court is not required to examine the testimony of prosecutrix in any detail. However, since the material witness has been examined, this Court considers it apposite to grant the petitioner's prayer for being released on bail.

4. Accordingly, it is directed that the petitioner be released on bail on furnishing a personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court. This is also subject to the petitioner complying with the following conditions:

- (a) The petitioner shall not, either directly or indirectly, contact the prosecutrix or any of the witnesses.
- (b) Since the petitioner is a resident of Raigarh, he shall proceed directly from this City to Raigarh and not leave the said city except to return back to this city for the purposes of this case.
- (c) The petitioner shall provide his contact details to the concerned SHO and the Trial Court and ensure that he is reachable at all times.

5. The petition is allowed in the aforesaid terms.

SEPTEMBER 16, 2019
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VIBHU BAKHRU, J