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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: December 09, 2019
+ **BAIL APPLN. 2545/2019**

SHAUKAT @ AYAN

..... Petitioner

Through Mr. B.L. Madhukar and Mr.
Devendra Kumar, Advocates

versus

THE STATE

..... Respondent

Through Mr. Tarang Srivastava, APP for the
State with SI Devi Lal, P.S.:
Adarsh Nagar

CORAM:

HON'BLE MR. JUSTICE BRIJESH SETHI

JUDGMENT

BRIJESH SETHI, J (oral)

1. This is an application under Section 438 Cr.PC filed by the petitioner for grant of anticipatory bail in FIR no. 000685/2018, u/s. 379 IPC, PS Adarsh Nagar, North-West.

2. Learned Counsel for the petitioner has prayed for bail on the ground that petitioner is innocent and has been falsely implicated in this case and the petitioner is also involved in two other cases bearing FIR No. 223/2018 and FIR No. 224/2018, under Sections 376/328/406 IPC and under Section 4 POCSO Act, police station Patel Nagar. Learned counsel for the

petitioner further submitted that co-accused Abhay Singh Bisht has already been acquitted against the similar charges by the learned trial court vide order dated 01.02.2019 in FIR No. 223/2018 under Sections 376/328/406 IPC and under Sections 4 POCSO Act, registered at police station Patel Nagar. So far as FIR No. 224/2018 is concerned the chargesheet has been filed and case is pending before learned trial court.

3. On the other hand, learned APP has opposed the bail application and submitted that in view of the nature of allegation leveled against the petitioner, his bail application be dismissed.

4. In view of the fact that the co-accused Abhay Singh Bisht has already been acquitted on the same charges in FIR No. 223/2018 under Sections 376/328/406/34 IPC and Sections 4 of POCSO Act and keeping in view the fact that present FIR is under Section 379 IPC only and further keeping in mind all the facts and circumstances of the case, petitioner in the event of arrest be released on bail on his furnishing a personal bond in the sum of Rs. 15,000/- with one surety in the like amount to the satisfaction of the SHO/Investigating Officer.

5. In aforesaid terms, the bail application stands disposed of.

(BRIJESH SETHI)
JUDGE

DECEMBER 09, 2019/savita