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

+ **BAIL APPLN. 197/2020**

SH. AMIT KUMAR SINGH Petitioner
Through: **Mr. G. S. Rana, Advocate.**

versus

STATE Respondent
Through: **Ms. Manjeet Arya, APP for State with
SI Kamlesh from CAW Cell, Dwarka.**

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
% **26.02.2020**

1. The present bail application has been filed under Section 439 Cr.P.C. seeking bail in FIR No.402/2016 under Sections 323/363/328/376D/506/34 IPC & 4 & 6 of POCSO Act registered at Police Station Dabri, Delhi.
2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated. The petitioner is in judicial custody since 17.11.2018. Learned counsel further submits that the prosecutrix has been examined in the trial court and has not implicated the present petitioner. Learned counsel has referred to her examination-in-chief and submits that she was cross-examined by learned APP for State where she has stated that the present petitioner was neither present nor committed any offence with her. He further submits that the wife of the petitioner will stand surety for the petitioner.

3. Learned APP for the State, on the other hand, vehemently opposed the bail application and submits that the petitioner was declared proclaimed offender. Learned APP submits that the prosecutrix has been informed and an endorsement of the pendency of the present bail application has been placed along with status report.

4. In view of the facts and circumstances of the case and also the fact that the prosecutrix has not supported the case of the prosecution in so far as the present petitioner is concerned, the petitioner is admitted to bail on his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the trial court and subject to the following conditions:-

(i) The petitioner will not directly or indirectly make any inducement, threat or promises to the complainant or any witness during the trial or tamper with the evidence.

(ii) The petitioner shall provide the I.O./SHO Police Station Dabri, Delhi with his mobile phone number and in the event of change of his residential address, shall inform the same to the concerned I.O./SHO.

(iii) The petitioner will remain regularly present before the Trial Court.

5. With the above directions, the bail application is disposed of.

DASTI.

MANOJ KUMAR OHRI, J

FEBRUARY 26, 2020

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