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

+ **BAIL APPLN. 607/2024**

RAKESH KUMAR MADAN

.....Petitioner

Through: Mr.Nishank Tyagi and Mr.Gaurav
Jain, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms.Meenakshi Dahiya, APP for State
with SI Anup Rana, P.S. Paschim
Vihar West.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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22.10.2024

1. An application under Section 439 read with Section 436A of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of the petitioner for grant of regular bail in FIR No.135/2011 under Sections 420/34 IPC and Section 3(1) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at PS: Mianwali Nagar. Chargesheet has been filed under Sections 420/448/380/34 IPC & Section 3(1) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Learned counsel for the petitioner submits that petitioner was initially released on anticipatory bail vide order dated 17.06.2011 passed by learned Sessions Court but since he failed to appear during the course of trial, he was taken into custody on 09.10.2019 and has been in custody since then. He further submits that only fifteen witnesses out of thirty five witnesses



have been examined till date and the conclusion of trial is likely to take some time.

3. On the other hand, application is opposed by learned APP for the State.

4. Considering the totality of the facts and circumstances of the case, and the period of custody undergone by the petitioner, he is admitted to bail on furnishing a personal bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand only) with one surety in the like amount to the satisfaction of the learned trial court and subject to the following conditions:

- (i) Petitioner shall provide his mobile number to the Investigating Officer (IO) / SHO concerned at the time of release;
- (ii) In case of change of address, petitioner shall intimate / communicate his fresh address to the IO / SHO concerned as well as learned Trial Court;
- (iii) Petitioner shall not influence witnesses in any manner during pendency of trial.

Application is accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be forwarded to the learned Trial Court and Superintendent Jail for information and compliance.

ANOOP KUMAR MENDIRATTA, J

OCTOBER 22, 2024/v