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

+ **BAIL APPLN. 775/2024**

SHAHIB ALI

..... Petitioner

Through: Mr. Shripal Upadhyay, Mr. Ajeet Singh and Mr. Lokesh Kumar, Advocates.

versus

THE STATE (GOVT., N.C.T. OF DELHI) AND ANR

..... Respondents

Through: Mr. Nawal Kishore Jha, APP for State with SI Atul Prabhakar PS Sunlight Colony, New Delhi.
Mr. S.K. Sharma, Mr. Jiten Sharma, Advocates for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

09.04.2024

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1. By way of present application filed under Sections 439 Cr.PC, the petitioner seeks regular bail in case FIR No.224/2023 registered under Sections 363/342/354A/354B/506/34 IPC and 10 of POCSO Act at PS Sunlight Colony, New Delhi.
2. Learned counsel for the petitioner/applicant submits that the main allegations are against the co-accused Gudia and that charge-sheet has been filed. He further submits that the allegations in the FIR are falsified by the fact that Gudia was not even present at the spot on the date of the incident.
3. The bail application is vehemently opposed by learned APP for State duly assisted by the learned counsel for respondent No.2. It is stated that the role assigned to the present applicant is that he had removed the clothes of the prosecutrix. The age of the prosecutrix is 10 years and she is yet to be



examined. It is also informed that the applicant has three other involvements under the Excise Act, 2009.

4. Considering the role assigned to the applicant and the fact that the prosecutrix is yet to be examined, no ground for grant of bail is made out.

5. The bail application is accordingly dismissed.

MANOJ KUMAR OHRI, J

APRIL 9, 2024/rd