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

+ **BAIL APPLN. 779/2024**

SAURABH TRIPATHI

..... Petitioner

Through: Ms. Dolly Sharma, Advocate.

versus

STATE

..... Respondent

Through: Ms. Meenakshi Dahiya, APP for the
State with SI Johny Kumar, P.S.
Uttam Nagar and SI Ekta, P.S. IGI
Airport.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

11.03.2024

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1. The present petition has been filed seeking interim bail in connection with FIR No. 733/2020 under Section 376 IPC & 6 POCSO registered at Police Station Uttam Nagar on the ground that the petitioner has to complete and submit his assignment by 31.03.2024 in connection with the course of M.A. English for which he is enrolled with Indira Gandhi National Open University (IGNOU).
2. The notice was issued *vide* order dated 04.03.2023 with a direction to the State to verify the aforesaid facts.
3. Learned APP appearing for the State submits that the aforesaid facts have been verified, however, she submits that such a facility is also available in the Jail itself and for that purpose she has placed reliance on the order dated 23.02.2024 annexed as Annexure-A to the present petition, wherein



the petitioner was allowed to get the study material from his family in the Mulakat.

4. On the other hand, the learned counsel for the petitioner submits that on three earlier occasions the petitioner has already been granted interim bail for the same purpose. She has drawn the attention of the Court to three orders passed by the learned Additional Session Judge (FTSC) (POCSO-01, SW, Dwarka) whereby the petitioner was granted interim bail for a period of one month each for the same purpose. The said orders are annexed as Annexure-D (colly) to the present petition.

5. In view of the above, to enable the petitioner to pursue his education, it is considered appropriate that the accused/petitioner be admitted to interim bail for a period of four weeks from the date of his release subject to his furnishing a Personal Bond in the sum of Rs. 50,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
- b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- c) Petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the witnesses.

6. The petitioner shall surrender before the concerned Jail Superintendent upon expiry of the period of four weeks.

7. The petition stands disposed of.



8. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.
9. Order dasti under signatures of the Court Master.
10. Order be uploaded on the website of this Court.
11. Accordingly, the application stands disposed of.

VIKAS MAHAJAN, J

MARCH 11, 2024/MR