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

+ **BAIL APPLN. 3896/2023**

ABHISHEK KUMAR MISHRA

.....Petitioner

Through: Mr. Nikhil Mehta, Mr. Varun Sharma,
Mr. Vikas Sood, Advs.

versus

STATE

.....Respondent

Through: Ms. Priyanka Dalal, APP
W/SI Koyal, PS Ranhola
Mr. Harshit Jain, Mr. Prakhar
Sharma, Mr. Anurag, Advs

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

08.07.2024

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1. Petitioner has approached this Court for grant of bail in the event of arrest in FIR No.689/2023, dated 28.08.2023, registered at Police Station Ranhola for offences under Section 376 IPC.
2. On 01.12.2023 this Court had directed that no coercive action be taken against the Petitioner subject to him joining the investigation.
3. Status Report has been filed.
4. Material on record discloses that Petitioner was 22 and the Prosecutrix was in 12th standard at the time of the incident and they were working together. A perusal of the FIR shows that the present case is one of promise of marriage.
5. Learned APP for the State vehemently opposes the bail application on



the ground that the Petitioner is accused of a grave offence and he has also tried to give pills to the Prosecutrix to abort the child.

6. There is no allegation that the Petitioner is not cooperating with the investigation. This Court is of the opinion that since the allegation is one of promise of marriage, custodial interrogation of the Petitioner is not required.

7. This Court is, therefore, inclined to grant bail to the Petitioner in the event of arrest on the Petitioner furnishing a security in the sum of Rs.50,000/- with two sureties in the like amount to the satisfaction of the Investigating Officer. The Petitioner is directed not to contact the prosecutrix. Any complaint by the Prosecutrix or by the Police that the Petitioner has tried to contact the Prosecutrix shall entail cancellation of the liberty granted to the Petitioner. The Petitioner is also directed not to leave the city of Delhi without the permission to the Court till the examination of the Prosecutrix.

8. The Application is disposed of.

SUBRAMONIUM PRASAD, J

JULY 8, 2024

Rahul