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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ BAIL APPLN. 2821/2024, CRL.M.A. 23636/2024, CRL.M.A. 23726/2024

RAHUL@EAGLE

.....Petitioner

Through: Mr. Ajay Kumar Kikan, Advocate

versus

THE STATE(GOVT. OF NCT OF DELHI) &
ANR.

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with IO/SI Sonu Kr. Jha, P.S.
Ambedkar Nagar.
Respondent No.2 in person alongwith
her father.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI
ORDER
09.08.2024

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1. By way of present application, the petitioner/applicant seeks regular bail in FIR No. 422/2018 registered under Sections 363/366/344/376(2)(n) IPC and Section 6 of the POCSO Act at P.S. Ambedkar Nagar, Delhi.
2. Learned counsel for the applicant submits that the present FIR was registered in the year 2018 and thereafter the applicant was released on regular bail by the concerned Court vide order dated 07.08.2020. He further submits that applicant as well as the prosecutrix had married each other on 01.08.2023 and thereafter started living together in Jaipur. He submits that the on account of some miscommunication, the applicant could not appear before the Trial Court resulting in issuance of process under Section 82



Cr.P.C. whereafter the applicant was re-arrested and has been languishing in jail since 21.05.2024.

3. The prosecutrix is present in Court and is accompanied by her parents. All of them have been identified by the IO. The prosecutrix affirms that she has been married to the applicant and living together ever since.

4. At this stage, learned counsel for the applicant states that one of the reasons for non-appearance before the Trial Court was that applicant's parents have disowned him and thus, the address in Jaipur was not available in the records of the Court. Learned counsel on behalf of the applicant assures that in case of any change of contact details in the future, the same shall be promptly brought to the notice of the Trial Court as well as I.O.

5. Considering the aforesaid, the applicant is directed to be released on regular bail, subject to him furnishing a personal bond in the sum of Rs.10,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- ii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iii) The applicant shall not directly/indirectly try to get in touch with the prosecution witnesses or tamper with the evidence.
- iv) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

6. The bail application is disposed of in the above terms.



7. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.
8. Needless to state that the observations made hereinabove are only for the purpose of disposal of present bail application and which shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

AUGUST 9, 2024

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