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

+ **BAIL APPLN. 4232/2023**

RAJAB ALI KHAN

..... Petitioner

Through: Mr. Anurag Jain, Mohd. Sajid and
Mr. M.K. Khan, Advs.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Ritesh Kumar Bahri, APP for
State with SI Manish PS Welcome
Mr. Hemant Singh, DHCLSC

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

12.02.2024

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1. The present application has been filed under Section 439 CrPC seeking interim bail in FIR No. 420/2018 under Section 363 IPC registered at PS Welcome later on Sections 109/302/201/328/376/34 IPC and 6 POCSO Act were added to the FIR, *inter alia* on the ground that the petitioner's son was born on 12.12.2018 when the petitioner was in custody and he has not seen his son ever since his birth.
2. Notice in the application was issued on 15.12.2023 with a direction to the IO to verify the factum of birth of child.
3. A status report has been handed over in Court, the same is taken on record.
4. A perusal of the status report shows that factum of birth of petitioner's son on 12.12.2018 has been verified.



5. In view of the above, the petitioner is granted interim bail for a period of three weeks from the date of his release subject to his furnishing personal bond of Rs. 25,000/- 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 petition stands disposed of.

7. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.

8. Order *dasti* under signatures of the Court Master.

9. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

FEBRUARY 12, 2024/N.S. ASWAL