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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 3061/2024

ATUL ANAND

.....Petitioner

Through: Mr. Dilip Singh, Mr. Amresh Yadav,
and Mr. P. Karthik, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Nawal Kishore Jha, APP for State
with Insp. Kishore Kumar, PS South
Rohini.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.09.2024

1. By way of present application, the applicant seeks anticipatory bail in FIR No. 196/2024 registered under Sections 376(2)/(n)/506 IPC and Section 6 of the POCSO Act at P.S. South Rohini, Delhi.
2. Mr. Dilip Singh, learned counsel for the applicant submits that no role has been attributed to the present applicant and the only allegation in the prosecution case concerning the applicant is that the incident is stated to have occurred at the house which had been taken on rent by the applicant. He further submits that no overt act has been attributed to the present applicant. Learned counsel for the applicant further contends that the allegations are not true inasmuch as the applicant is residing at the alleged place of incident with his own sister, who is a student.
3. The application is opposed by learned APP for the State assisted by learned counsel for the complainant, who states that whenever the applicant



alongwith the prosecutrix visited the house of the applicant, he would leave the place.

4. I have heard learned Counsel for the applicant and the complainant as well as learned APP for the State.

5. The only allegation levelled against the applicant is that the incident has taken place at the house of the applicant and no other overt act has been attributed to him.

6. Keeping in view the aforesaid facts and circumstances, it is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions :-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.



(vi) The applicant shall regularly appear before the trial Court.

7. The application is disposed of in the above terms.

8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

SEPTEMBER 9, 2024

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