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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 4616/2025**
MAYANK GUPTA ALIAS MANU

.....Petitioner

Through: Ms. Medhavi Tyagi, Mr. Utsav
Kumar, Mr. Devender Kumar and Mr.
Kumar Kislay, Advocates.

versus

THE STATE OF NCT OF DELHI & ANR.

.....Respondent

Through: Mr. Sunil Kumar Gautam, APP for the
State with SI Komal.
Mr. Shailesh Chandra Jha, (DHCLSC)
for respondent No.-2.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
25.02.2026

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1. Applicant seeks regular bail in FIR No.327/2023 dated 29.06.2023, for commission of offences under Sections 363, registered at P.S. Aman Vihar. Subsequently, in the charge-sheet, offences under Sections 366/368/376 of IPC and Section 6 of *Protection of Children from Sexual Offences Act, 2012* (POCSO Act) were added.
2. The abovesaid FIR was registered on the basis of complaint made by mother of the prosecutrix who claimed that her daughter, aged 16 years, was missing since 26.06.2023 and she suspected that some unknown person had lured her away.
3. During course of investigation, the girl was recovered on 24.07.2023 and revealed that her one relative i.e. applicant herein had made forcible

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physical relation with her.

4. Since the girl was found to be minor, the charge-sheet was filed for commission of said offences. Charges have already been framed and victim-child and her parents have already entered into witness box.

5. The applicant is in custody for last around 2 ½ years.

6. At the time of his arrest, he was 21 years of age and as per the Nominal Roll received from the jail authority, he is not having any other involvement of any nature whatsoever.

7. Learned counsel for applicant submits that the story of her taking away under some coercion does not seem to be digestible as she had, voluntarily, accompanied applicant to Muradabad and in the process, they travelled by public transport, including bus and if there was any such element of threat, the victim-child would have raised hue and cry.

8. Learned APP for the State and learned counsel for victim-child have opposed the bail application but they do admit that the victim-child and her parents have already been examined.

9. The applicant is in his early 20's with no previous involvement and since the victim child and her parents have already been examined, there is no possibility of his threatening or influencing them in any manner whatsoever.

10. Keeping in mind the overall facts of the case, *albeit*, without expressing any opinion over the merits of the case, the applicant is, hereby, directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one surety of like amount, subject to the satisfaction of learned Trial Court/CJM/Duty Magistrate with the following conditions:-

- (i) The applicant shall not come in contact of the victim-child and her family, directly or indirectly.



- (ii) He would provide his Mobile Number to the concerned I.O and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.
- (iii) Applicant would report to concerned SHO/IO every first Sunday of every month at 11:00 A.M. till trial is over.
- (iv) Learned Trial Court would be at liberty to get the addresses of appellant and his surety verified, before accepting the bonds. In case, appellant wants to change his address, he shall give prior intimation in writing, not only to the concerned investigating officer but also to the learned Trial Court.

11. The application stands disposed of.

12. Let a copy of this order be sent to the concerned Court and also to the Jail Superintendent for necessary information and compliance.

MANOJ JAIN, J

FEBRUARY 25, 2026/ss/js