

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

% CRL.M.C. 3001/2012

+ Date of Decision: 2nd November, 2012

**# AKANBI OLAMILEKAN
MOHEMMAD Petitioner**
! Through: Mr. Yogesh Saxena, Advocate

Versus

\$ THE STATE Respondent
Through: Mr. M.N. Dudeja, APP for the State

CORAM:
*** HON'BLE MR. JUSTICE P.K.BHASIN**

ORDER

P.K.BHASIN, J:

The petitioner – accused has filed this petition seeking modification in the order dated 11th May, 2012 passed by the learned Special Judge, NDPS, whereby the petitioner was granted bail on certain conditions one of which was that he would furnish a surety bond for a sum of ₹ 50,000/-.

The petitioner being a foreigner has not been able to get any surety and so he has made a prayer in this petition that he should be permitted to deposit in Court the surety amount in cash instead of insisting upon his arranging a surety which he is unable to arrange.

Learned counsel for the petitioner had submitted that he had no objection if the surety amount is increased to one lac. In support of this petition he also relied upon some orders of this Court in other cases of foreigners who were permitted to deposit in Court the surety amount in cash. Those orders were passed in “*Theeddeus Onwazebe vs. Akhilesh Kumar Mishra*”, *Crl. Misc. Main No. 3750 of 2009*; “*Bitoren Dolores Fernades vs. Director of Revenue Intelligene*, *Crl. M.C. No. 3264 of 2011*”and “*Tonyto Da Silav vs. State*”, *Crl.M.C. No. 612 of 2010*.

In the facts and circumstances of the case this petition is allowed and the condition of furnishing of surety bond by the petitioner imposed by the trial Court is dispensed with and the petitioner is ordered now to deposit a sum of rupees one lac in the Court. All other conditions of the bail order shall remain as it is.

P.K. BHASIN,J

November 2, 2012