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

+ **BAIL APPLN. 1544/2015**

AJHRUL

..... Petitioner

Through: Mr. Sunil Prasad, Adv.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. M.P. Singh, APP for the State
SI Akhilesh, P.S. Moti Nagar

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **19.11.2015**

There is a typographical error in the order dated 15.9.2015. The petitioner is in custody since 7.12.2014. Inadvertently, the date of custody is stated as "7.5.2014". Let it be read as "7.12.2014".

The petitioner seeks bail in connection with FIR No.237/2012 (P.S. Moti Nagar) instituted for offences under Sections 420, 467, 468, 471, 120B and 34 of the IPC.

The petitioner, his brother-in-law and his father are alleged to have masqueraded themselves as the persons closely associated with the then Railway Minister for the purposes of cheating public. It is alleged that the complainant with many others were lured into spending money for the purposes of getting job on the ministerial quota. Neither jobs were provided to them nor money was returned.

It has been submitted on behalf of the petitioner that the father of the petitioner, who too has been made accused in this case with almost similar allegations, has been released on bail by the court below. It is further submitted that the petitioner is in custody since 7.12.2014 and is handicapped by 45%.

Mr. M.P. Singh, learned APP, opposes the bail application on the ground that the petitioner is the main brain behind the racket of luring people into spending money for getting employment on ministerial quota.

It is further submitted on behalf of the State that the petitioner is a resident of West Bengal and in case of his release on bail, he might not make himself available for being tried by the Court.

Learned State counsel has also refuted the contention of the petitioner that the father of the petitioner was having similar allegations against him. It is stated that the role attributed to the petitioner is of a more serious nature.

Considering the nature of accusation and remote prospect of the case being concluded at an early date; the period of custody and the physical health of the petitioner, this Court is inclined to release the petitioner on bail.

The petitioner is directed to be released on bail on his furnishing a personal bond in the sum of Rs.10,000/- with two sureties of like amount to the satisfaction of the Trial Court. One of the sureties shall be a local person and preferably a government servant.

The petitioner shall participate in the trial and would not absent himself on three consecutive occasions without reasonable cause.

In case, the petitioner does not participate in the trial or absents himself without reasonable cause, it would be open for the Trial Court to

proceed against him and cancel his bail. The Trial Court is also directed, in that event, to ensure immediate taking into custody of the petitioner.

The application stands disposed of in above terms.

ASHUTOSH KUMAR, J

NOVEMBER 19, 2015
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