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

+ BAIL APPLN. 2006/2015

YOGESH @ KALA

..... Petitioner

Through Mr. V.K. Jha, Advocate

versus

STATE (NCT OF DELHI)

..... Respondent

Through Ms. Rajni Gupta, APP for the State.
ASI Satyavir, P.S. Begumpur.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **05.10.2015**

The petitioner seeks bail in FIR No. 204/2012 registered for the offence under Sections 394/395/397/412 & 120B of the IPC (Police Station Begampur).

It has been submitted that the petitioner is in custody since 06.09.2012. Two other accused persons of the same case were granted bail by a Co-ordinate Bench of this Court. It is submitted that out of 23 cited witnesses, only 12 witnesses have been examined so far.

The petitioner has not been identified by the informant at the Trial.

The status report reveals that apart from the present case, the petitioner has been made accused in two other cases out of which, one is of the year 2008 and the other is of the year 2012.

Mr. V.K. Jha, learned counsel for the petitioner submits that in the case which was lodged in the year 2012 i.e. FIR No. 325/2012, the petitioner has been discharged by the Court of the learned Metropolitan Magistrate. The other case which was lodged in the year 2008 i.e FIR No. 706/2008, the petitioner has been acquitted.

It is submitted that apart from the present case in which the petitioner is facing trial, there is no other case pending against him.

Considering the period of detention of the petitioner and there being no likelihood of the trial being concluded in near future, the petitioner is directed to be released on bail on his furnishing a bond in the sum of Rs.10,000/- with two sureties of the like amount to the satisfaction of the trial court. The petitioner shall participate in the trial and would not absent himself on two consecutive dates without any plausible cause. In case the petitioner tries or attempts to delay the process of trial, the trial court would be at liberty to take necessary action in accordance with law.

With these observations, the bail application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

OCTOBER 05, 2015

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