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

+ BAIL APPLN. 903/2016

PRADEEP KUMAR

..... Petitioner

Through: Mr.Pradeep Kumar Yadav, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Mr.M.P.Singh, APP.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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14.07.2016

The present application has been filed under Sections 438/482 Cr.P.C. for grant of anticipatory bail to the petitioner.

The case of the prosecution as per the FIR in question is that a complaint had been received from Mr.Hari Om Mittal that one of their staff members Mr.Hari Om had gone on 05.03.2016 to get some fabric from their godown at First Floor, Westend Plaza, Kapashera, New Delhi and found that the lock there had been tampered and the seal was torn. It was found that some stock had been missing/burgled. On physical auditing, it came to light that some 70,200 metres fabric had been stolen. Based on the same, FIR in

question was registered. On 22.04.2016, a supplementary complaint was given to the effect that from their second godown, 75,863 meter fabric had been stolen. Thus, total 1,46,063 meter fabric worth Rs.one crore had been stolen from both the godowns.

On 22.04.2016, on receipt of secret information, the goods were recovered from the godown of Javed situated at Sher Singh's, Toll Tax Street, Kapashera, Delhi. Accused Javed disclosed that he along with the petitioner had stolen the fabric in question. Accused Javed disclosed that the petitioner had taken his share of fabric. During police custody of the co-accused Javed, one sack of fabric was also recovered at his instance from Sher Singh's, Toll Tax Street, Kapashera, Delhi. The petitioner's anticipatory bail application was dismissed by the Sessions Court on 29.04.2016. On being searched, the petitioner was not found at his native place.

I have heard the learned counsel for the parties and perused the record.

The learned counsel for the petitioner has stated that the co-accused Javed has been granted bail and also no recovery has been effected from the petitioner.

In the given facts and circumstances of the case, it is directed that in the event of arrest, the petitioner shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the arresting officer subject to the condition that he shall not tamper with the evidence, shall not influence the witnesses and shall not leave the country without prior permission of the court concerned.

The application accordingly stands disposed of.

P.S.TEJI, J

JULY 14, 2016/dm