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

+ BAIL APPLN. 1279/2016

PRAKASH YADAV

..... Petitioner

Through Mr.A.K. Dey, Adv.

versus

THE STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through Ms.Meenakshi Chauhan, APP with SI
Ashok, PS G.K.-I.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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28.07.2016

Arguments heard.

The present application has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.79/2016, under Sections 381/414/411/212/120-B/34 IPC, Police Station Greater Kailash-I.

In the present, the allegations levelled are that the complainant Sachin Gupta reported to the police that his servant Ravi Turi entered into the employer's room through the window and opened the almirah and stole cash and jewellery amounting to Rs.25 lacs and absconded from the place of employment on 26.02.2016. The FIR was registered under Section 381 IPC. During the course of investigation, it was revealed that Ravi got employment on furnishing wrong identity. He was arrested from Faridabad and his real name was

revealed as Prakash Yadav i.e. the petitioner-herein. He disclosed that he had hatched a criminal conspiracy with one Manoj Paswan to commit theft. He also disclosed that he sold the stolen gold to Limpak who runs a jewellery shop at Raj Dhanwar, Giridih, Jharkhand. He also disclosed that he invested the money in an Innova vehicle. On further investigation, Innova vehicle bearing registration No.HR-55E-5692, 5 pieces of gold weighing 493.7 grams and currency notes of Rs.98,500/- were recovered at the instance of petitioner/accused. Some gold was also recovered at the instance of co-accused Ashok Yadav. Thereafter, penal sections 411/412/419/120B/34 were added in the present case.

It has been submitted by the counsel for the petitioner that the petitioner is behind the bars since 05.03.2016. The investigation qua the petitioner is already complete and no purpose would be served in keeping the petitioner behind the bars.

On the other hand, learned APP for the State opposed the bail on the ground that one of the co-accused is yet to be arrested and the recovery of remaining stolen gold articles are yet to be effected.

The fact remains that the recovery of stolen articles has already been effected from the petitioner. The petitioner is behind the bar since 05.03.2016. The investigation qua him is already complete and charge sheet has already been filed in the Court.

In the above facts and circumstances, the petitioner is admitted to bail on furnishing the bail bond in the sum of Rs.25,000/- with two sureties in the like amount to the satisfaction of the Trial Court. The petitioner is directed not to tamper with the evidence and influence

the prosecution witnesses. He is further directed not to leave the country without prior permission of the Trial Court.

The present bail application is disposed of accordingly.

P.S.TEJI, J

JULY 28, 2016
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