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

+ **BAIL APPLN. 1854/2016**

PIVI FACEO

..... Petitioner

Through: Mr. Rajeev Lochan, Advocate

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Through: Ms. Radhika Kolluru, APP

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
19.09.2016

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The petitioner has preferred the present bail application under Section 439 Cr.P.C. to seek regular bail in case FIR No. 109/2014 registered under Sections 420/489A/489C/489D/34 IPC. The petitioner has been in custody since 27.05.2014. The present stage of the case before the trial court is that the statement of the complainant has been recorded and the evidence of the formal witnesses is yet to be recorded. The petitioner is a national of Guinea.

According to counsel for the petitioner, the passport of the petitioner has already been seized. Learned counsel for the petitioner submits that so far as the allegation of the complainant with regard to his being duped of Rs. 3.70 lacs is concerned, no role is ascribed to the petitioner. However, the

role ascribed to the petitioner is with regard to his being in possession of fake Indian currency of Rs. 58,000/-.

Considering the fact that the petitioner already remained in jail for a period of over two years and the evidence of the independent witness/complainant has already been recorded, as also the fact that now the evidence of the formal witness has to be recorded which is likely to take some time, the petition is allowed. The petitioner is directed to be released on bail upon his furnishing personal bond with one local surety in the sum of Rs. 50,000/- to the satisfaction of the jail superintendent. This is further subject to the condition that the passport of the petitioner, if not already seized, shall be deposited with the investigating officer. The petitioner shall not leave the country without the permission of the trial court. He shall mark his attendance at police station Chanakyapuri on every alternate Monday at 1100 hrs. He shall provide his mobile phone number at the time of his release, which shall be kept in working condition and shall not be changed without prior intimation to the I.O.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

SEPTEMBER 19, 2016

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