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

+ **BAIL APPLN. 2454/2015**

SANJAY KUMAR

..... Petitioner

Represented by: Mr. M.N. Dudeja, Mr. Lokesh
Gupta, Ms. Nishtha Garg, Mr.
Abhishek Rana, Advs.

versus

STATE (GOVT OF NCT OF DELHI)

..... Respondent

Represented by: Mr. Ravi Nayak, APP with
Insp. Sanjeev Kumar PS
Bhajan Pura.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

28.09.2016

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By the present petition the petitioner seeks anticipatory bail in case FIR No 912/2015 under Sections 3/4/5 of Gambling Act, Sections 420/120B/34 IPC and 66(D) of Information Technology Act registered at PS Bhajan Pura.

The above-noted FIR was registered on the intervening night of 26th and 27th August, 2015 when a raid was conducted at C-5, Street No.3, main Wazirabad Road, Bhajan Pura. 14 persons including 4 juveniles out of whom 3 were later found to be major were caught red handed playing Satta. During the course of investigation, from the accused arrested it was revealed that the kingpins of the racket were Roshan Lal Verma, Amarnath Bajaj and Y.D. Sharma who posed themselves as Government officials. On the arrest of Roshan Lal Yadav it was revealed that accused involved therein used to

BAIL APPLN. 2454/2015

page 1 of 2

give protection money to D.P. Yadav, ex-Minister of U.P. through the present petitioner who was CA of Kunal Yadav, son of D.P. Yadav, who in turn gave to Saurabh Sangal which was further given to Kunal Yadav. Thus the petitioner's name along with names of one Saurabh Sangal and Kunal Yadav came in the disclosure statement of co-accused.

On a query put to the investigating officer through the learned APP as to why Kunal Yadav has not been arrested, learned APP on instructions submits that till date no evidence has come on record to arrest Kunal Yadav. The investigating officer further states that till date no notice for interrogation has also been given to Kunal Yadav.

Considering the fact that the role assigned to the petitioner is similar to that of Kunal Yadav i.e. of an intermediary providing the protection money which finally reached D.P. Yadav and the investigating officer does not find any ground till date to arrest Kunal Yadav, the petitioner being on parity with him, I deem it fit to grant anticipatory bail to the petitioner. It is therefore directed that in the event of arrest, the petitioner be released on bail on his furnishing a personal bond in the sum of ₹50,000/- with two sureties of the like amount subject to the satisfaction of the Arresting Officer/ SHO concerned, further subject to the condition that he will join the investigation as and when directed.

Petition is disposed of. Order dasti.

Copy of the order be sent to the Commissioner of Police.

MUKTA GUPTA, J.

SEPTEMBER 28, 2016

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BAIL APPLN. 2454/2015

page 2 of 2