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

+ **BAIL APPLN. 1781/2016**

MANISH KUMAR

..... Petitioner

Through: Mr. Ashok Sharma, Advocate.

versus

STATE

..... Respondent

Through: Mr. Mukesh Kumar, APP along with
SI Sunil Kumar, PS-IGI Airport, for
the State.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER

16.01.2017

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The petitioner has preferred the present bail application under Section 438 Cr.P.C. seeking anticipatory bail, apprehending arrest in case FIR No.243/2016 registered at PS – IGI Airport, District Palam Airport, Delhi under Section 420/ 468/ 120B IPC.

The submission of learned counsel for the petitioner is that the only connection that the petitioner had with the main accused Akshay Rana was that the petitioner's computer system, which he used at his shop/ Cyber Cafe has been utilised for the purpose of sending out the forged and fabricated appointment letters and gate passes to the victims.

The disclosure statement of Akshay Rana has been shown to the Court and perused. Though the status report claims that Akshay Rana got prepared the forged joining letters and training letters through the petitioner Manish Kumar, the statement of Akshay Rana shows that no such allegation has been made. Akshay Rana in his said statement has stated that he had prepared the said documents on the computer at the petitioner's Cyber Cafe. Moreover, the statement of Akshay Rana is that he and the co-accused Laxmi used to share the spoils and it is not alleged even by him in his disclosure statement that the petitioner was partaking any of the monies received from the victims for issuance of forged and fabricated appointment letters and gate passes.

Learned counsel for the petitioner submits that the petitioner has already joined the investigation.

Mr. Mukesh Kumar submits that the petitioner has not provided his computer system.

This is disputed by learned counsel for the petitioner, who states that the Investigating Officer has visited the premises of the petitioner. He further states that the petitioner undertakes that he shall cooperate in the investigation and provide his computer system and not to tamper with it in any manner.

In view of the aforesaid, in case of his arrest, the petitioner shall be released on bail upon furnishing personal bond with one surety in the sum of Rs.10,000/- to the satisfaction of the I.O./ arresting officer. This is further subject to the condition that the petitioner shall cooperate in the investigation and he shall provide his computer system, if required for the purpose of investigation. This is further subject to the condition that the

petitioner shall not tamper with any evidence, including his computer system and shall not seek to influence any witnesses in the case.

VIPIN SANGHI, J.

JANUARY 16, 2017

B.S. Rohella