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

+ **BAIL APPLN. 1440/2017**

YOGENDRA KUMAR DWIVEDI Petitioner
Through: Mr.Jayant K.Sud, Senior Advocate
Mr.Honey Khanna, Mr.Manish Lamba, and
Ms.Vaishali Soni, Advs.

versus

STATE OF MAHARASHTRA Respondent
Through: Mr.D.N.Goburdhun, Advocate

CORAM:
HON'BLE MR. JUSTICE VINOD GOEL

% ORDER
09.08.2017

1. Apprehending his arrest, the petitioner, an Advocate, practising in Delhi, has filed this petition under Section 438 of the Code of Criminal Procedure 1973 for Transit Anticipatory Bail in respect of CR (Crime Report) No.704/2016 registered under Section 394/341/120B/166/201/225/506/34 IPC, PS Kashimira, District Thane, Rural Maharashtra, registered against him and his client Rama Shanker Sah. It is submitted by the learned senior counsel for the petitioner that on instructions of his client Rama Shanker Sah, the petitioner issued a legal notice dated 20.5.2016 to the complainant Rabindra Dwivedi, claiming himself to be the National President of Anti Corruption Committee, Kamini Niwas, Pandurang Wadi, Mira, Thane-401104 (Mumbai). It is submitted that thereafter Rabindra Dwivedi got registered the said false Crime Report by exercising his

influence over the police. Learned senior counsel further submits that since the petitioner is to avail of his appropriate legal remedy in the competent Court of jurisdiction in the State of Maharashtra, he may be granted transit anticipatory bail. Learned Senior Counsel rely upon a few orders of this court in *Smt. Vijay Latha Jain Vs. State*, 2007 SCC online Delhi 1723; *Amit Khaneja Vs. State of Punjab*, BA No.1355/2015 in Cr.M.A. 9800/2015 decided on 13.07.2015; *Raj Chopra Vs. State* 2007 (99) DRJ 196 & *Daler Singh Vs. State of NCT of Delhi* 2003 VII AD Delhi 293.

2. In the facts and circumstances of the present case, without going into the merits of the case, the petitioner is granted transit bail only for 15 days from today to enable him to approach the concerned Court in Thane (Maharashtra) for appropriate relief and it is directed that in case the petitioner is apprehended/arrested, he may be released on bail subject to his furnishing personal bond in sum of Rs.5,000/- to the satisfaction of the IO/MM/JMIC/CJM/CMM/SHO/concerned.

3. Order be given dasti to the parties under signatures of the Court Master.

VINOD GOEL, J.

AUGUST 09, 2017

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