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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1767/2017**
KAMLEU NYA ALAIN @ GLORY Petitioner
Through: Mr. Rajeev Lochan, Advocate
versus

STATE GOVT OF NCT OF DELHI Respondent
Through: Mr. Ashish Dutta, APP for the State
with SI Rahul Malik, Operation Cell.

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **04.07.2018**

This application for release on bail in the context of criminal case arising out of case FIR No.105/2016 under Section 420 Indian Penal Code, 1860 and Section 14 of Foreigners Act was submitted in August, 2017 after the court of Sessions by its order dated 26.07.2017 had declined such relief on bail application No.4395.

The submissions of the counsel representing the petitioner has brought out that the criminal trial in the meanwhile has proceeded ahead and substantial evidence of the prosecution has already come on record during the interregnum. The effort of the counsel for the petitioner is to show through such evidence that the acquisitions against the petitioner are unfounded. In the given facts and circumstances, it will not be proper at this stage of the proceedings for this court to delve at length into the merits or demerits of the arguments vis-a-vis the prosecution evidence which has been recorded.

Given the time that has elapsed, the proper course would be to give liberty to the petitioner to approach the trial court or the court of Sessions, as the case may be, for release on bail. It will be appropriate that the said court first takes a call on the contentions being urged.

The application is disposed of with these observations.

R.K.GAUBA, J.

JULY 04, 2018

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