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

+ **BAIL APPLN. 387/2018**

CHUKWNEMIKA

..... Petitioner

Through Mr. Vikas Gautam, Adv.

versus

STATE

..... Respondent

Through Mr. Hirein Sharma, Addl. PP for the
State

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **28.02.2019**

Crl. M.A. 4628/2019 (leave to deposit cash surety)

1. By this application, petitioner seeks permission to deposit the surety amount, as directed by order dated 17.01.2019, instead of providing a surety bond.

2. Learned counsel for the petitioner submits that the petitioner is a foreign national and is alleged to be involved in a NDPS matter and as such no individual is coming forward to stand surety for him. He submits that the petitioner has made arrangement for depositing of the surety amount of Rs. 25,000/- and is willing to deposit the same with the trial court.

3. Section 445 Cr.P.C. reads as under:

“Deposit instead of recognizance. When any person is required by any Court or officer to execute a bond with

or without sureties, such Court or officer may, except in the case of a bond for good behavior, permit him to deposit a sum of money or Government promissory notes to such amount as the Court or officer may fix in lieu of executing such bond.”

4. Section 445 Cr. P.C. empowers the Court to permit the accused, who is required to furnish a bond with sureties to deposit a sum of money or Government promissory notes to such amount as the Court or officer may fix in lieu of executing such bond.

5. The petitioner has been directed to furnish a bail bond in the sum of Rs. 25,000/- with one surety of the like amount.

6. For the reasons stated by the petitioner that no person is willing to come forward to stand surety and he is willing to deposit the said amount of Rs. 25,000/- with the trial court, the application is allowed. Petitioner is permitted to deposit the surety amount of Rs. 25,000/- with the trial court in lieu of the surety bond.

7. The condition imposed by order dated 17.01.2019 is accordingly modified.

8. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 28, 2019

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