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

+ **BAIL APPLN. 2942/2019**

ANI OBINA @ WALLORD Petitioner
Through **Mr. Girish Kumar Sharma, Adv.**

versus

THE STATE Respondent
Through **Mr. Hirein Sharma, APP for State**

CORAM:
HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER
% **18.12.2019**

By way of the present petition, the petitioner seeks directions thereby to be released on bail till the final disposal of case, in FIR no. 110/19 registered at P.S. Tigri for the offence punishable under Sections 324/34/468/471 IPC & Section 12 of the Passport Act & Section 14 Foreigners Act.

On 28.11.2019, learned APP submitted that bail was granted to the co-accused only after visa had been granted by the concerned authority, however, in the present case the petitioner has no valid visa in his name. Whereas learned counsel for the petitioner submitted that petitioner had also applied for visa, but that was denied by the authorities by stating that the petitioner may apply for visa along with the Court papers after his release from jail.

Accordingly, vide order dated 28.11.2019, this Court directed the jail authorities to facilitate the petitioner in getting visa and the concerned

authorities shall take decision on extension of visa of the petitioner, before the next date of hearing.

Learned counsel for the petitioner submits that the visa has been extended upto 25.12.2019 and the authorities shall keep on extending till the case is pending against the petitioner.

It is not in dispute that the co-accused i.e. accused no.1 has already been granted bail vide order dated 30.09.2019 by this Court and this fact has not been disputed by learned APP. Moreover, does not dispute the fact that the role of the co-accused i.e. accused no.1 and the petitioner is same and similar.

The fact remains that the applicant is behind the bar since 19.05.2019 and although charges have been framed, however, no prosecution witness has been examined and the maximum punishment for the alleged offences committed is upto three years.

The said co-accused i.e. accused no.1 was directed to be released subject to his furnishing a personal bond of ₹25,000/- with one surety of the like amount to the satisfaction of the Trial Court. However, the said order has been modified vide order dated 26.11.2019 directing the Trial Court to release the co-accused i.e. accused no.1 on depositing the sum of money in lieu of surety bond.

Accordingly, in the present case also, the petitioner is a Foreign National, accordingly, directed to be released subject to his furnishing a personal bond of ₹25,000/- and the same amount be deposited in lieu of surety bond to the satisfaction of the Trial Court.

The petitioner shall report to the Police Station Tigri on every Friday between 04:00 to 06:00 pm. The Trial Court shall also take on record his

place of stay and if the petitioner changes his address, the same shall be conveyed to the SHO concerned. The petitioner shall also provide the mobile number and other (alternate) contact number to the IO concerned.

Order dasti under signatures of the Court Master.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for compliance.

SURESH KUMAR KAIT, J

DECEMBER 18, 2019

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