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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 2825/2018**
ONWUATU CHIDUBEN Petitioner
Through: Mr Anoop Gupta, Advocate.

versus

STATE Respondent
Through: Ms Meenakshi Chauhan, APP for
State with SI Parveen Kumar, PS
Tilak Nagar.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **05.09.2019**

1. The petitioner has filed the present petition, *inter alia*, praying that he be admitted to bail in FIR No.105/2018 under Sections 21/61/85 of the Narcotics Drugs and Psychotropic Substances Act, 1985 and Section 14 of the Foreigners Act, 1946 registered with PS Tilak Nagar, Delhi.
2. It is alleged that 82 grams of Heroin was recovered from the petitioner on 20.03.2018. The petitioner has been in custody since the said date. It is stated that four witnesses out of ten witnesses have been examined. The other witnesses are official witnesses. It is also stated that the trial has not progressed in the past eight months.
3. The learned counsel appearing for the petitioner submits that the petitioner's visa has already been extended till 07.10.2019. It has also been stipulated that the petitioner cannot exit the country without due permission of the court.
4. In view of the extension of his visa, the petitioner can now reside in Delhi without violation of visa conditions.

5. The present petition has been filed through the petitioner's *parokar*, who is also the mother of his child.
6. The petitioner states that he shall be residing with the *parokar* at the address bearing no. E-11, Second Floor, Navada Housing Complex, Dwarka Mor, Delhi. The said address has already been verified as indicated in the status report.
7. Keeping in view the totality of circumstances, this Court is of the considered view that the petitioner ought to be released on bail. Accordingly, the petitioner is directed to be released on bail on furnishing a Bail Bond in the sum of ₹50,000/- with one surety of the like amount to the satisfaction of the trial court. The petitioner shall not try to contact any of the witnesses. The petitioner's passport, which the petitioner claims is with the jail authorities, shall be deposited with the trial court. The petitioner shall not leave the National Capital Territory of Delhi without approval of the trial court. In addition, the petitioner shall furnish his mobile number, which shall be kept active at all times. The petitioner shall also ensure that he appears before the trial court on all the hearings.
8. Needless to state that if the petitioner fails to comply with any of the conditions, the bail granted shall be revoked.
9. The petition is disposed of in the aforesaid terms.
10. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

SEPTEMBER 05, 2019/MK