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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1860/2024**
ROKIBUL ISLAM

.....Petitioner

Through: Mr. Bhoopendra Singh, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State
along with Inspector Bhanwar Singh,
IFSO/Spl. Cell, Delhi.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
22.11.2024

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1. By way of the present application, the applicant seeks anticipatory bail in FIR No. 296/2022, registered under Sections 419/420/468/471/120B IPC & Section 66C/66D of IT Act at P.S. Special Cell.
2. Learned counsel for the applicant submits that at the time of commission of the offence, the applicant was a student who was pursuing BBA and was 21 years of age. He submits that though the complainant has alleged cheating of Rs.10 lacs, the applicant's brother, namely, *Mozammel Hussain @ Mozam* at the time of seeking bail had already deposited Rs.10 lacs with the concerned court. It is also stated that the applicant has post grant of interim protection, joined investigation. Lastly, it is submitted that at the time of dismissal of earlier bail application, the factum of deposit of Rs.10 lacs by the applicant's brother could not be brought to the notice of



the court.

3. The bail application is opposed by learned APP who submits that the present case relates to digital fraud wherein the money had initially travelled to the account of applicant's brother.

4. I have heard the learned counsel for the applicant and learned APP for the State and gone through the records.

5. As per the prosecution case, the applicant received Rs.10 lacs who has already deposited the said sum with the learned trial court. Keeping in view the aforesaid facts and circumstances and the fact that the applicant has joined investigation and the amount of Rs.10 lacs has been deposited before the concerned court, and no purpose would be served by his custodial interrogation, it is therefore directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.
- (v) The applicant shall not directly or indirectly try to get in touch



with the complainant or any other prosecution witnesses or tamper with the evidence.

(vi) The applicant shall regularly appear before the trial Court.

6. The application is disposed of in the above terms.

7. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

NOVEMBER 22, 2024/ssc