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

+ **BAIL APPLN. 3417/2023**

OKECHUKWU MORGAN

.....Petitioner

Through: **Mr. J. S. Kushwaha with Ms. Tanya Kushwaha, Advocates.**

versus

THE STATE (NCT OF DELHI)

.....Respondent

Through: **Mr. Manoj Pant, APP for the State with Mr. Akshansh, Ms. Pragati Keshri, Mr. Priyush Jha, Mr. Sahil Kapoor and Ms. Shivangi Tyagi, Advocates.**

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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13.08.2024

CRL.M.A. 23081/2024

By way of the present application filed under sections 484 and 490 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner/applicant seeks reduction of the surety amount and permission to deposit of the surety amount in cash, towards fulfilment of the conditions of regular bail granted *vide* order dated 18.07.2024.

2. It is noticed that though the present application has been filed under the BNSS, since it was filed in proceedings initiated under Code of Criminal Procedure, 1973 ('Cr.P.C.') which proceedings *were pending* before the coming into force of the BNSS, the present application is treated as one under sections 440 and 445 of the Cr.P.C.
3. Mr. J. S. Kushwaha, learned counsel appearing for the applicant/petitioner submits that instead of seeking modification of order dated 18.07.2024 to the extent of dispensing completely with



furnishing of a surety bond, the petitioner would now restrict his prayer only to reduction in the amount of his personal bond and surety bond from Rs.50,000/- to Rs.25,000/-, with undertaking that he would furnish a personal bond as well as a surety bond in the like amount, in compliance of order dated 18.07.2024.

4. Issue notice.
5. Mr. Manoj Pant, learned APP appears for the State on advance copy; accepts notice; and leaves it to the court to pass appropriate orders.
6. In view of the submissions made and considering the petitioner's circumstances, order dated 18.07.2024 admitting the petitioner to regular bail is modified *limited only* to the extent that the petitioner is directed to be released on bail upon furnishing a personal bond of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 01 local surety of the like amount, to the satisfaction of the learned Trial Court.
7. It is made clear that only the amount of the personal bond and the surety bond are being reduced, and the petitioner *would be required* to furnish a surety bond of a solvent surety towards grant of regular bail.
8. All other conditions of regular bail imposed *vide* order dated 18.07.2024 shall remain as they are.
9. The application stands disposed-of.

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10. The petition already stood disposed-of *vide* order dated 18.07.2024.

ANUP JAIRAM BHAMBHANI, J

AUGUST 13, 2024

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