

**HIGH COURT OF UTTARAKHAND AT NAINITAL**

**First Bail Application No.2975 of 2021**

Stalin alias Enjokwul Joel  
alias Rubin Dua

...Applicant

Versus

State of Uttarakhand

...Respondent

Present:-

Mr. Lalit Sharma, Advocate for the applicant.  
Mr. S.S. Adhikari, D.A.G. for the State.

**Hon'ble Ravindra Maithani, J. (Oral)**

Applicant Stalin alias Enjokwul Joel alias Rubin Dua is in judicial custody, in Case Crime No. 14 of 2019, under Section 420, 120B IPC, Section 66 (D) of the Information Technology Act, 2000 and Section 14 of the Foreigner Act, 1946, Police Station Cyber Crime Dehradun, District Dehradun. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, this is a case of cheating, befriending through a social media platform and thereafter inducing the informant to give a huge money in the name of some business. The amount given by the informant is more than Rs.10 Lakh. The FIR gives details of the transactions. The amount was deposited in the accounts

namely, Sharma Enterprises and Kotak Mahindra Bank. It was a current account, Branch Dahisar East. It is the prosecution case that the applicant befriended the informant and thereafter, some person introduced himself as Harshvardhan and required the informant to deposit the amount in the account of Sharma Enterprises. The bail application of the co-accused Som Nath has been rejected because during investigation, it was revealed that the account of Sharma Enterprises was opened by the co-accused Som Nath.

4. In the instant case, it is the prosecution case that certain material was recovered from the applicant which relates to the instant case. It is also the prosecution case that the applicant has no valid VISA to stay in India. He is a Nigerian national.

5. It is a matter of Online cheating through a racket. Keeping in view the nature of offence, the fact that the applicant had no valid authority to stay in India and other attending circumstances, this Court is of the view that there is no ground to enlarge the applicant on bail. Accordingly, the bail application deserves to be rejected.

6. The bail application is rejected.

(Ravindra Maithani, J.)  
28.02.2023