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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Judgment delivered on: 07.11.2025*+ **BAIL APPLN. 1924/2025****PRAJWAL ELROY RAJ**

.....Petitioner

Through: Mr. Vikram Hegde, Ms.
Chinmayi Shrivastava and Mr.
Abhishek Wadiyar, Advs.

versus

GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the
State along with SI Imran
Khan.**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J**

1. The applicant has preferred this application seeking grant of regular bail in case arising out of FIR No. 255/2022, registered on 03.11.2022, at Police Station Crime Branch, Delhi, for the commission of offence punishable under Sections 20/25/29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 [hereafter '*NDPS Act*'].

2. Briefly stated, the facts of the present case are that a secret information was received that on 03.11.2022, two persons Jatin Wasan and Vinay were going to supply drugs in Sarojini Nagar



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market in a black car. Based on this information and with due permission from the appropriate authorities, a raiding team was formed and the raid was conducted. During the personal search of the accused persons, 250 grams of charas was recovered from accused Jatin, and 150 grams of charas was recovered from Vinay. Thereafter, both the accused persons were arrested and the present FIR was registered. During the course of investigation, accused Jatin had disclosed that he had been receiving charas and other narcotic substances from Anurag Thakur, Akash Gupta and Nihar Bakshi, who are the suppliers of drugs in the Delhi NCR region. Thereafter, on information from another secret informer, a raid was conducted near Pramod Mahajan Marg, PVR road, near Malviya Nagar Metro Station where Akash Gupta, Nihar Bakshi and Anurag Thakur were apprehended and on being searched, 120 grams charas was recovered from the possession of Akash Gupta, 110 grams charas and 50 ecstasy pills weighing 27.45 grams were recovered from the possession of Nihar Bakshi, and 100 ecstasy pills weighing 54.9 grams and 23 grams of M.D. were recovered from the possession of Anurag Thakur. The recovered contraband from the accused persons was seized and the accused persons were arrested on 04.11.2022.

3. During the course of investigation, accused Anurag Thakur had disclosed that he was involved in supply of narcotic substances including ecstasy tablets in the Delhi-NCR region and the transactions were done through use of cryptocurrency and the syndicate was active through Wickr App. It was found that accused



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Anurag had an account on Binance wallet, which he used for making payments through cryptocurrencies for narcotic substances. Details from Wickr App as well as Binance crypto-platform were obtained and analysed. Notices were also sent to crypto trading platform Kucoin. During analysis, it was found that in one of the transactions, a payment of 1830 USDT was transferred to accused Anurag Thakur by the present applicant Prajwal Elroy Rai. who had his account with Kucoin. KYC details were obtained from the trading platform Kucoin which showed that the applicant was an account holder in the above-mentioned transaction with the accused Anurag Thakur. In this transaction, the amount was sent by "vvsthc" i.e. the applicant herein to "czar8008" i.e. co-accused Anurag Thakur. During investigation, it was revealed that the contraband which was recovered from accused Anurag was supplied to him by the present applicant and by one Faizan Ali. The present applicant had ordered these narcotic substances through dark web and had imported them to India, whereas the co-accused Faizan Ali had supplied it to different parts in the country through dark web. During investigation, mobile phone of Faizan Ali was seized and analysed, and it was found that a suspected shipment of narcotic substances was shipped from USA to New Delhi. A letter in this regard was sent to the customs department. On Delhi Airport, it was confirmed that the said consignment contained 15.8 kgs of narcotic substance i.e. marijuana. It was also revealed during investigation that another huge shipment of contraband was being shipped to Chennai Airport from Lufthansa cargo, which was



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later found to be 54 kgs of hydroponic weed i.e. cannabis. From further analysis of mobile phone of Faizan Ali, it was found that the above-mentioned consignments belonged to the present applicant and had been sent to Faizan Ali for sale and supply in different parts of the country.

4. On 14.03.2023, the applicant herein was arrested from Mangalore, Karnataka. As per prosecution, during investigation it was revealed that the applicant was actively involved in supply of narcotic substances in the country and the recovered ecstasy tablet from accused Anurag Thakur as well as accused Nihar Bakshi was sent to Anurag Thakur by "vvsthc" on Wickr app i.e. by the applicant herein. The applicant had also disclosed that he had bought the tablets from a person namely "mr taffy" on Wickr app and he had met "mr taffy" on "dread" platform at dark web, and the payment was made by him and Faizan Ali through cryptocurrency. During investigation, the applicant was also interrogated about the recovered shipment of 15.8 kgs of marijuana at Delhi Airport and he disclosed that this consignment was purchased by him from "mr taffy" on Wickr app and he also disclosed the same about the shipment of 54 kgs of marijuana that was caught at Chennai Airport. In both these consignments, the payments were made through cryptocurrency and these consignments were camouflaged in different packaging to avoid getting caught. He had disclosed that these consignments used to get cleared through customs with the help of co-accused Faizan Ali, who then used to store it in his unit at Mysore. Thereafter, on getting



orders through Wickr app, they used to supply the narcotic substances through private courier companies in different parts of the country. Co-accused Faizan Ali could not be arrested since he had absconded. The chargesheet as well as supplementary chargesheet in this case was filed after completion of investigation.

5. The learned counsel appearing for the applicant argues that the applicant has been falsely implicated in the present case, solely on account of his alleged association with co-accused Anurag Thakur, from whom the recovery itself has been doubted by the Coordinate Bench of this Court while granting him bail *vide* order dated 19.11.2024. It is argued that no contraband or incriminating material has been recovered from the applicant herein and that the case against him rests merely on the inadmissible disclosure statement of co-accused Anurag. It is further contended that the said co-accused was granted bail after nearly two years of custody on the ground of prolonged incarceration and delay in trial, which grounds are equally applicable to the present applicant, who has remained in custody for about two years and four months. The learned counsel also submits that except for one other case, in which he has already been granted bail, the applicant has no criminal antecedents and has never misused the liberty granted to him during interim bails, which were availed only for medical treatment or academic purposes. Accordingly, it is prayed that the applicant be enlarged on regular bail.

6. The learned APP for the State opposes the bail application and



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submits that the present applicant is a key member of a well-organised drug syndicate operating across the country. It is contended that the applicant had been in direct “crypto” transactions with co-accused Anurag Thakur, who was found in possession of the recovered Ecstasy tablets, which shows that the applicant was the primary source of the contraband. It is argued that the applicant is a professional drug dealer, who has been operating from outside the country, particularly from Dubai, using the dark web to facilitate illegal narcotic trade. It is also pointed out that the applicant has a previous involvement in a similar case registered *vide* FIR No. 28/2020 at PS Dakshina Kannada (Cyber, Economic and Narcotics), Mangalore, Karnataka. It is additionally urged that one of the applicant’s close associates, Faizan Ali, is still absconding. On these grounds, it is prayed that the applicant does not deserve the concession of bail, considering the gravity of allegations, his antecedents, and his role as the principal source in the alleged network of trade of narcotic substances.

7. This Court has **heard** arguments addressed on behalf of the applicant as well as the State, and has perused the material available on record.

8. The facts emerging from the record reveal that the present applicant has been arrested in this case for his alleged involvement in a well-organised drug trafficking network operating across the country through the use of cryptocurrency, Dark Web, and encrypted



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communication applications such as Wickr. The investigation has revealed that the applicant had carried out direct crypto transactions with co-accused Anurag Thakur and that the contraband recovered from Anurag Thakur – 100 Ecstasy pills weighing 54.9 grams and 23 grams of M.D. – was allegedly supplied by the present applicant. The financial trail obtained from the Kucoin and Binance wallets establishes transactions between the crypto account of the applicant (operating under the ID “vvsthc”) and that of co-accused Anurag Thakur (ID “czar8008”). Further, investigation has also revealed that the applicant had ordered narcotic substances through the Dark Web and imported them to India for distribution through co-accused Faizan Ali, who remains absconding.

9. The investigation has also revealed that large consignments of narcotic substances, including 15.8 kgs of marijuana seized at Delhi Airport and 54 kgs of hydroponic cannabis seized at Chennai Airport, were linked to the present applicant and were being distributed in different parts of the country through courier services. The mobile phone data of co-accused Faizan Ali corroborates that these consignments belonged to the applicant and were meant for sale across India. The evidence gathered by the investigating agency, including digital trails and crypto wallet transactions, *prima facie* indicates that the applicant played a key and continuing role in the import, distribution, and financing of narcotic substances.

10. Further, this Court had earlier, *vide* order dated 30.01.2024,



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dismissed the bail application of the present applicant after examining the material collected during investigation. The said order was subsequently upheld by the Hon'ble Supreme Court in *Special Leave to Appeal (Crl.) No. 6399/2024* vide order dated 13.05.2024. Although the learned counsel for the applicant has sought to rely upon the grant of bail to co-accused Anurag Thakur by a Coordinate Bench of this Court, it is well settled that the principle of parity cannot be invoked where the role and involvement of the accused are distinct. In the present case, the applicant stands on a different footing, being the alleged source and financier of the contraband recovered from Anurag Thakur and others. Moreover, the applicant has a prior involvement in another NDPS case registered as FIR No. 28/2020 at PS Dakshina Kannada (Cyber, Economic & Narcotics), Mangalore.

11. At this stage, it is also important to note that Section 37 of the NDPS Act imposes stringent conditions for the grant of bail in offences involving commercial quantity of narcotic substances. The twin conditions mandate that before granting bail, the Court must be satisfied that (i) there are reasonable grounds for believing that the accused is not guilty of the offence, and (ii) that he is not likely to commit any offence while on bail. The Hon'ble Supreme Court has repeatedly held, *inter alia* in ***Narcotics Control Bureau v. Mohit Aggarwal***: 2022 SCC Online SC 891, ***Union of India v. Prateek Shukla***: (2021) 5 SCC 430 and ***State v. Lokesh Chadha***: (2021) 5 SCC 724, that these conditions are mandatory and must be satisfied



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before bail can be granted under the NDPS Act. In the present case, given the nature of the evidence, the financial and digital trail connecting the applicant with co-accused persons, and his previous involvement in a similar case, this Court is unable to record a finding that the applicant is not *prima facie* guilty of the alleged offence or that he will not commit similar activities/offences if released on bail.

12. In view of the above discussion, and considering the material collected during investigation, the previous involvement of the applicant in similar offences, and the fact that material prosecution witnesses are yet to be examined, this Court finds no ground to grant regular bail to the applicant at this stage.

13. The bail application is accordingly dismissed.

14. It is, however, clarified that nothing expressed hereinabove shall tantamount to an expression of opinion on merits of the case.

15. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J
NOVEMBER 07, 2025/vc