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

+ **BAIL APPLN. 3571/2025**

JAI PRAKASH

.....Petitioner

Through: Mr. Sudhir Naagar, Mr. Vaibhav Mishra and Mr. Piyush Aggarwal,
Advocates

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State
with Mr. Chandrakant, Advocate

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

13.11.2025

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1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing No.114/2025, registered at Police Station Crime Branch, New Delhi for the commission of offence punishable under Sections 22/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter '*NDPS Act*').
2. Issue notice. The learned APP accepts notice on behalf of the State.
3. Briefly stated, the facts of the present case as per prosecution story are that on 12.05.2025, SI Vishan Kumar had received a secret information about one Manish Bhatle, aged about 25–26 years, who was allegedly involved in the supply of Codeine-based syrup and Tramadol capsules in Delhi. It was informed that the said person would be coming to deliver the



narcotic substance between 01:00 PM and 01:30 PM on the same day near University Road, Shri Ram Institute, Delhi. After following due process, a trap was laid, and at about 1:10 PM, at the instance of the secret informer, the co-accused Manish Bhatle was apprehended from University Road near Shri Ram Institute, Delhi, while holding two plastic sacks in his hands. Efforts were made to join public witnesses; however, despite requests, none agreed and all left the spot without disclosing their identities. The accused was served with a notice under Section 50 of NDPS Act and informed about his legal right to be searched before a Gazetted Officer or a Magistrate, which he declined. On checking the plastic sacks, one was found containing 10 boxes of capsules (comprising Dicyclomine HCl, Tramadol HCl, and Acetaminophen) totaling 2360 capsules, and the other contained 120 bottles (100 ml each) of Codeine-based syrup. During investigation, the name of the present applicant had surfaced as he was alleged to be the 'backward source' of the narcotic and psychotropic substances.

4. The learned counsel appearing on behalf of the applicant argues that applicant has been falsely implicated in this case, and that the name of applicant is not mentioned in the FIR. It is submitted that the applicant has cooperated in the investigation, i.e. when the IO had given notice under Section 67 of NDPS Act to the applicant on 22.05.2025, he had joined the investigation on 23.05.2025. Thereafter, the applicant was arrested on 23.05.2025 but nothing has been recovered from his possession or at his instance. It is argued that applicant is not involved in any other case and that he will not commit any offence if he is admitted to bail. It is stated that the investigation qua him is complete and therefore, the applicant be admitted to bail.



5. The learned APP for the State, on the other hand, argues that 2360 Tramadol capsules and 120 bottles Codeine Phosphate Syrup has been recovered in the present case. It is argued that the applicant had deliberately and intentionally deleted the chat between him and co-accused Devender from his mobile phone, which has been deposited with the FSL and the result is awaited. It is contended that four boxes of tramadol capsule were supplied by the applicant to co-accused Devender and the same were recovered from the possession of co-accused Manish Bhatle. It is argued that the applicant is the backward source of tramadol capsules and he is also the mediator between co-accused Devender and Sunny. It is argued that the Call Detail Records support the case of prosecution. Thus, it is prayed that his bail application be rejected.

6. This Court has **heard** arguments addressed on behalf of the learned counsel appearing for the applicant as well as the learned APP for the State and has perused the material available on record.

7. The case of the prosecution, in brief, is that one Manish Bhatle was apprehended by the police and recovery of 2360 capsules of Tramadol and 120 bottles of Codeine-based syrup was affected from him. During the course of investigation, the present applicant was issued a notice under Section 67 of the NDPS Act and he had appeared before the Investigating Officer on 23.05.2025. It is alleged by the prosecution that the applicant had supplied four boxes of Tramadol capsules to one Devender and had acted as a mediator between Devender and Sunny. The applicant was arrested thereafter on 23.05.2025.

8. From the material placed before this Court, it is observed that no recovery of any narcotic substance has been affected from the possession or



at the instance of the present applicant. The case of the prosecution mainly rests upon the alleged disclosure made by the applicant under Section 67 of NDPS Act. At this stage, there appears to be no independent material connecting the applicant directly with the narcotic substance recovered from co-accused Manish Bhatle, expect placing reliance on the Call Detail Records.

9. It is also pertinent to note that the applicant has no previous criminal antecedents and he has been in judicial custody since 23.05.2025, i.e., for a period of about five months. His conduct in jail has been reported to be satisfactory, and the investigation qua him stands concluded.

10. This Court also notes that the applicant has cooperated with the investigation as he had appeared before the Investigating Officer in compliance with the notice under Section 67 of NDPS Act

11. In view thereof, this Court is of the opinion that in absence of any recovery from the applicant, his clean antecedents, cooperative conduct during investigation, prolonged judicial custody, and the peripheral nature of his alleged role, the applicant has made out a fit case for the grant of regulal bail, subject to following conditions.

- i) The applicant shall furnish a personal bond in the sum of Rs.25,000/- with one surety of the like amount, to the satisfaction of learned Trial Court/Successor Court.
- ii) The applicant shall surrender his passport, and will not leave the country without the prior permission of the learned Trial Court.
- iii) The applicant shall inform his residential address and mobile number to the learned Trial Court as well as to the IO, and in



case of change of same, he shall inform the updated details to the learned Trial Court by way of an affidavit.

- iv) The applicant shall not indulge in any criminal activity during the period of bail.
- v) The applicant shall appear before the learned Trial Court regularly.

12. Accordingly, the present application stands disposed of.

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

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

NOVEMBER 13, 2025/ns

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