



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>BA2/32/2026</u> Anupam Shukla --Applicant Versus Central Bureau Of Narcotics, New Delhi --Respondent <u>Hon'ble Rakesh Thapliyal, J.</u> 1. Mr. M.S. Pal, learned Senior Advocate assisted by Ms. Amreen Bano, learned counsel for the applicant. 2. Mr. Lalit Sharma, learned Dy. Solicitor General for the respondent. 3. The instant second bail application is moved on behalf of the applicant Anupam Shukla seeking regular bail in reference to Case Crime No. 01 of 2025 wherein applicant is implicated for the offences punishable under Sections 8/21/29 of the NDPS Act. 4. The first bail application was dismissed as withdrawn on 23.12.2025 and thereafter instant bail application is moved. 5. It is argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated and the narcotic substance was recovered from the vehicle Tata Safari bearing Registration No. UK08AY4248 but there is no substantial compliance of the provision of NDPS Act about search and seizure. He further submits that the applicant is the proprietor of a firm, namely, AP Biotech having valid license under the Drugs and Cosmetic Rules, 1995 and have GST registration and is authorized to sale the stock or exhibit for sale and distribute the drugs other than those specified in Schedule C, C(1) and X and the substance which has shown to be recovered is commercial one, i.e. 1.103 kg



			but the weight of this substance is doubtful since it was weighed along with plastic bag/container. He also submits that recovery as shown is doubtful since the instructions issued by Ministry of Finance (Department of Revenue) New Delhi by Notification dated 23.12.2025 specifically pertains to Section 52A of the NDPS Act is not properly followed and in fact there is no substantial compliance of Section 52A of the NDPS Act. In reference to criminal antecedent with regard to complaint case no. NCB/AZU/CR-01/2022 he submits that present applicant is already enlarged on bail by Gujarat High Court on 29.11.2022. He further submits that the charge sheet has already been filed and present applicant is languishing in jail since 18.02.2025. In reference to Section 37 of the NDPS Act he submits that there is no substantial compliance of Section 52A of the NDPS Act , therefore, there are reasonable ground that the applicant is not the guilty of the offence and furthermore the applicant have a drug license. Apart from this, he submits that the applicant has a criminal antecedent of only one case in which he is already enlarged on bail. 6. On the other side, Mr. Lalit Sharma, learned Dy. Solicitor General for the respondent submits that in this particular case the inventory was prepared and the Magistrate certified the same strictly as per 2022 Rules. So far as criminal antecedent of one case is concerned he has not disputed that the applicant is already enlarged on bail. So far as compliance of Section 52A is concerned, he submits that Section 52A has been fully complied with in letter and spirit and even otherwise it is completely a subject matter of the trial. 7. After hearing the arguments of the learned counsel for the parties and taking into consideration that the present applicant is languishing in jail since 18.02.2025 and the charge sheet has already been filed and with
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			regard to the criminal antecedent of one case Gujarat High Court already enlarged the applicant on bail and so far as Section 37 of the NDPS Act is concerned specific averment is made that there is no substantial compliance of Section 52A though it is completely a subject matter of the trial, this Court is of the view that the applicant deserves for bail. 8. Accordingly, without expressing any opinion on the merit of the case, the bail application is allowed. 9. Let the applicant Anupam Shukla be released on bail on his executing a personal bond and furnishing two reliable sureties of the like amount to the satisfaction of the court concerned subjection to the following conditions:- (i) After being released on bail the applicant shall join the trial court proceeding on each and every date without seeking unnecessary adjournment and shall not indulge in any such activity in future. (ii) After being released on bail the applicant shall surrender his passport, if any, within three days. In breach of the condition, as above, the prosecution is free to move an application for bail cancellation. (Rakesh Thapliyal, J.) 17-08-2026 Parul
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