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

+ **BAIL APPLN. 22/2016**

EZEAKA OKWUDILI @ BOBBY Petitioner
Through: **Mr.J.S. Kushwaha, Advocate.**

versus

N C B Respondent
Through: **Mr.P.C. Aggarwal, Advocate.**

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
% **12.05.2016**

1. Mr.J.S. Kushwaha, Advocate on behalf of the petitioner submits that the petitioner had no connection with the parcel stated to be containing Cocaine. There is no investigation about the person who has sent the parcel, neither the name of the petitioner was mentioned on the parcel, nor it was to be delivered at his address. He has further submitted that the statement under Section 67 NDPS Act recorded in this case was not voluntarily made by him. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 01.08.2014 and trial is likely to take time, hence he may be released on bail.

2. Reply to the bail application has been filed by the State wherein it is mentioned that the respondent NCB had information about the drug peddling and about the parcel No. RE 853373139 lying with the Tilak Nagar post office was to be delivered to the address i.e. B-27, Krishna Park Extn., Gali

No. 8, New Delhi-110018 (India). The postman accompanied by NCB team reached the address mentioned on the parcel which was delivered to one tailor, Mujibur Rahman. The NCB team questioned Mujibur Rahman about the said parcel. He informed that the said parcel belongs to his client named Ezeaka Okwudili @ Bobby Veg. Thereafter he called the said person who reached there within 15 minutes. The parcel was collected by Ezeaka Okwudili @ Bobby Veg from Mujibur Rahman. After the petitioner collected the parcel and left the spot, he was intercepted by the NCB officers and interrogated. The petitioner disclosed about the said parcel was sent by his friend from South Africa to the address of Mujibur Rahman as the petitioner had shifted his address. The petitioner also made voluntary statement under Section 67 of the NDPS Act admitting the recovery of 120 grms. of Cocaine from the parcel received by him and that he knew the contents of the parcel to be Cocaine.

3. The petitioner is a foreign national. The *modus operandi* allegedly adopted by him to receive Cocaine on some other address and that he has allegedly reached the said address within 15 minutes of getting the message about the parcel, and the statement made by him under Section 67 of the NDPS Act, it appears that the petitioner was involved in drug trafficking.

4. Taking into consideration the nature and gravity of the offence and the bar created by Section 37 of the NDPS Act, I do not find it to be a fit case to release the petitioner on bail.

5. The application is dismissed.

PRATIBHA RANI, J.

MAY 12, 2016/ 'hkaur'