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

+ **BAIL APPLN. 2219/2016**

RAHUL KUMAR

..... Petitioner

Through : Mr.Mukesh Anand, Advocate.

versus

STATE GOVT. OF NCT OF DELHI

..... Respondent

Through : Mr.Amit Gupta, APP.
SI Vishrendra, PS Seemapuri.

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

ORDER
16.01.2017

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1. The petitioner seeks regular bail under Section 439 Cr.P.C. in case FIR No.860/15 under Sections 20/61/85 NDPS Act registered at Police Station Seemapuri. Status report is on record.

2. I have heard the learned counsel for the parties and have examined the file. The petitioner is in custody since 12.6.2015. The recovery effected from the petitioner is of 30 kg ganja. As per prosecution case, the present petitioner along with co-accused Vijay Pal was found in possession of 30 kg and 16.5 kg of ganja respectively. There are no allegations if the possession was joint or

there was conspiracy between the two. If quantity of ganja recovered from each individual is taken as independent recovery, it is not a 'commercial' quantity.

4. Considering the facts and circumstances of the case, the petitioner is admitted to bail on his furnishing personal bond in the sum of ₹40,000/-with one surety in the like amount to the satisfaction of the Trial Court.

5. The bail application stands disposed of.

S.P.GARG, J.

JANUARY 16, 2017/sa