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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 2369/2017

SANDEEP

..... Petitioner

Through: Mr. Sujeet Kr. Mishra, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI

..... Respondent

Through: Mr. Panna Lal Sharma, APP for State
with SI Omvir Dabas, Crime Branch.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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15.03.2018

The status report is on the record.

On behalf of the applicant, it is submitted that he has been falsely implicated in the instant case and all that can be attributed to him is that he was the driver of the vehicle, i.e., Fortuner Car bearing no. CH-01AJ-7337 of Grey colour which he states belongs to the co-accused Brajesh Kumar who was already been released on bail and it is submitted on behalf of the applicant that the applicant is nowhere involved in relation to the alleged commission of an offence punishable under Section 21 of the NDPS Act, 1985 in relation to alleged possession of 160 grams and 100 grams of heroine which were recovered from Brijesh Kumar and Ejime David the other co-accused in the instant case.

On behalf of the State, it has been submitted that the applicant was the driver of the Fortuner Car in question and when intercepted

and on apprehension of the other two persons who have been arrested, i.e., Brajesh Kumar and Ejime David, the applicant fled away from the spot and is even absconding and proceedings under Section 82 of the Cr.P.C. have been initiated and at the stage of the proclamation in the instant case.

It has been submitted on behalf of the State that the involvement of the applicant is to be ascertained and custodial interrogation of the applicant is required in the instant case especially as the applicant along with other co-accused is alleged to be in the process of smuggling of drugs.

In the circumstances of the case, there is no ground of grant of anticipatory bail as apparently the custodial interrogation would be required.

The application is declined.

ANU MALHOTRA, J

MARCH 15, 2018
NC