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

+ **BAIL APPLN. 359/2019**

ALLAUDDIN @ MOHD. SUMAN Petitioner

Through None.

versus

STATE Respondent

Through Ms Meenakshi Chauhan, APP for State.
SI Yogesh Kumar, Special Staff/SED.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.09.2019**

1. None appears for the petitioner even on the second call.
2. The petitioner has filed the present petition, *inter alia*, praying that an order be passed for release of the petitioner on bail.
3. The petitioner has been remanded to judicial custody in the case connected with FIR No. 0196/2018, for offences under Sections 21/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
4. It is alleged that on 01.08.2018, at about 3.15 a.m., a red colour Creta Car was stopped by the police party as a part of routine checking. It is alleged that the petitioner was sitting in the front seat beside the driver. It is alleged that the petitioner and the driver of the Car tried to flee but the attempt of the driver to flee was thwarted and the car was stopped by obstructing it with the help of the vehicle (Gypsy) of the police party. The

driver and the petitioner were apprehended and it is alleged that 270 grams of heroin was recovered from the driver and 100 grams was recovered from the petitioner. In addition, further 350 grams had been recovered from the car.

5. Learned APP appearing for the State states that the material witnesses are yet to be examined. She states that out of the fourteen witnesses, six have been examined and eight witnesses are to be examined.

6. In view of the above, the present petition is dismissed for non-prosecution, as well as on merits.

7. The petitioner is at liberty to apply afresh after completion of the trial.

SEPTEMBER 16, 2019

pkv

VIBHU BAKHRU, J