

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 898/2019**

RAJU

..... Petitioner

Through: Mr. Kartickay Mathur,
Advocate

versus

THE STATE (GOVT OF NCT OF DELHI) Respondent

Through: Mr. Amit Chaddha, APP

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **24.07.2019**

1. Status report has been filed.
2. This is an application under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.
3. Learned counsel for the petitioner submitted that the alleged recovery of the contraband is only medium quantity and the bar under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 is not applicable. Learned APP admitted the said position.
4. Learned counsel for the petitioner further submitted that the petitioner is having no criminal antecedents and has been in custody since 23.4.2018 and, as per the Nominal Roll, his conduct in jail is found to be satisfactory. Learned counsel for the petitioner also submitted that the petitioner has been falsely implicated in the present case and that only the police witnesses

are required to be examined by the Prosecution and no public witness has been shown as witness in the charge-sheet filed by the Prosecution.

5. In view of the aforesaid facts and circumstances as well as taking into consideration the submissions made by the learned counsel for the petitioner, I deem it appropriate that the petitioner be released on bail, subject to his furnishing a personal bond in the sum of Rs.25,000/-, with one surety of the like amount, to the satisfaction of the Trial Court and further subject to the conditions that the petitioner shall not leave the National Capital Region of Delhi without the permission of the Trial Court at any point in time during the pendency of the trial; that the mother of the petitioner shall file an affidavit, disclosing therein the latest address and mobile number of the petitioner, copy of the affidavit will be provided to the learned APP and thereafter the petitioner shall file an identical affidavit within one week, after his release from the jail.

6. Bail application is disposed of in above terms.

CHANDER SHEKHAR, J

JULY 24, 2019

tp