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IN THE HIGH COURT OF DELHI AT NEW DELHI

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BAIL APPLN. 193/2020

MOHAMMAD BIYAS

..... Petitioner

Through : Mr.Vikas Gautam, Advocate.

versus

NARCOTIC CONTROL BUREAU

..... Respondent

Through : Mr.Rajesh Manchanda, SPP for the
NCB.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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17.06.2020

1. The hearing has been conducted through Video Conferencing.

CrI.M.A.No.7478/2020

2. This is an application for preponment of the BAIL
APPN.193/2020.

3. For the reasons mentioned in the application the early hearing is
allowed. The application stands disposed of.

BAIL APPLN. 193/2020

4. It is submitted by the learned counsel for the applicant the co-
accused namely Fayaz and Hakeem have since been granted bail by
the Court, hence seek parity. It is stated the drug which was recovered
from the applicant is a controlled substance notified under Section
9(a) of the NDPS Act and does not fall in the commercial quantity.

5. It is submitted by the learned APP for the State this substance
recovered from the applicant is a procured drug to manufacture the
illegal drug. It is submitted by the learned APP for the State the
accused was arrested only after the proceedings under Section 82 of

the Cr.P.C. were filed against him and one another case is pending against him at Mumbai.

6. No doubt the accused is in judicial custody since 10.01.2019 after he was arrested by the officials of the NCB. The purpose of initiating the proceedings under Section 82 Cr.P.C. is primarily to secure the presence of the accused. Now since the accused is in judicial custody since 10.01.2019 I take up this application today itself and disposed it of by granting bail to the applicant herein on *parity basis* on his executing a personal bond of Rs.1,00,000/- to the satisfaction of the jail superintendent. The surety of the like amount shall be furnished by the petitioner within a week of the learned Trial Court resuming its normal functioning. The petitioner is also directed to keep open his location application in his mobile at all time.

7. The petition stands disposed of in above terms.

8. Copy of this order be sent electronically to the learned Trial Court / Jail Superintendent for compliance.

YOGESH KHANNA, J.

JUNE 17, 2020

DU/M