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

+ **BAIL APPLN. 450/2020**

RAM NIVASH

..... Petitioner

Through Mr.Hinu Mahajan, Adv. with
Mr.Ranveer Singh, Adv.

versus

STATE

..... Respondent

Through Mr.Amit Chadha, APP for State.
ASI Ayush Bajaj PS Swaroop Nagar.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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14.02.2020

Crl. M.A.3414/2020

Allowed, subject to all just exceptions.

Application is disposed of.

Bail Appln.450/2020

The present petition is filed under section 439 Cr.P.C. for grant of regular bail in pursuance to FIR No.428/2019 registered at Police Station Swaroop Nagar, for the offence punishable under section 15/29 NDPS Act.

It is not in dispute that co-accused namely Sarvesh @ Nanhe has already been granted bail by this Court vide order dated 05.02.2020 in Bail Appln.336/2020 wherefrom 10 kgs. of Poppy Staw was recovered from the petitioner therein which is an intermediate quantity whereas commercial quantity is 50 kgs.

In the present case also, recovery from the petitioner is 10 kgs. of Poppy Staw. Therefore, on parity and without commenting upon the merits of the case, I am of the view that the petitioner is entitled for bail.

Accordingly, the petitioner shall be released on bail on his furnishing personal bond in the sum of ₹25,000/- with one surety of the like amount to the satisfaction of the Trial Court.

Before parting with the order, it is relevant to mention that nothing contained in this order shall be construed as an expression on the merits of the case. The Trial Court shall not get influenced by the observations made by this Court, while passing the final orders in the trial.

The present petition is allowed and disposed of.

Copy of this order be transmitted to the Jail Superintendent and the Trial Court concerned for compliance.

Order *dasti* under the signatures of Court Master.

SURESH KUMAR KAIT, J

FEBRUARY 14, 2020
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