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

+ **BAIL APPLN. 749/2024**

RINKOO KUMAR

..... Petitioner

Through: Mr. Jitendra Sethi and Mr. Shobit,
Advocates.

versus

STATE, NCT OF DELHI

..... Respondent

Through: Mr. Laksh Khanna, APP for the State
with SI Arun Kumar, Anti Narcotics
Squad, Distt. South East.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **09.04.2024**

1. By way of present application filed under Section 439 Cr.P.C., the petitioner/applicant seeks regular bail in FIR No.610/2023 registered under Section 20/29 NDPS Act at P.S. Sarita Vihar, Delhi.
2. Learned counsel for the applicant submits that the applicant has been in custody since 30.11.2023 and that chargesheet has been filed in the present case. He submits that even as per the case of the prosecution, only 2.050 kg of Ganja was recovered from the applicant, which qualifies as intermediate quantity. He further submits that the applicant is 50% disabled and in this regard, he has placed on record Unique Disability ID issued by the Government of India. It is further submitted that the applicant is not involved in any other case and that the trial would take long time to conclude. Further, the prosecution has cited 14 witnesses and even charge has not been framed.



3. Learned APP for the State has opposed the bail application. He submits that as per the case of the prosecution, a secret information was received on 30.11.2023, one *Yamin Malik* was going to supply Ganja to some other person. Consequently, from *Yamin Malik* as well as the applicant, 2.050 kg of Ganja each was recovered. He, however, submits that even the total quantity would qualify only as intermediate quantity. He, on instructions, further states that the applicant is not involved in any other case.

4. I have heard the learned APP for the State as well as learned counsel for the applicant and have also gone through the material placed on record.

5. Keeping in view the aforesaid facts and circumstances including the fact that intermediate quantity of Ganja was seized; the fact that the applicant is not involved in any other case; that the trial of the case will take some time to conclude as well as the medical condition of the applicant, the applicant is directed to be released on regular bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./Trial Court and subject to the further following further conditions:-

- (i) The applicant shall not leave the NCT of Delhi without prior permission of the concerned Court.
- (ii) At the time of furnishing bail bond, the applicant shall provide the mobile number, which he undertakes to keep operational at all times during the pendency of the trial.
- (iii) In case of change of residential address or contact details, the petitioner shall promptly inform the same to the concerned IO as well as to the concerned Court.



- (iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- (v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.
6. The application stands disposed of in the above terms.
7. Copy of this order be communicated electronically to the concerned Jail Superintendent for information.
8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the observations are only for the purpose of the disposal of the present application.
9. Copy of this order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

APRIL 9, 2024/kct