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

+ **BAIL APPLN. 1505/2024**

MOHIT KUMAR

..... Petitioner

Through: **Mr. J.P. Singh and Mr. Himanshu Singh, Advocates.**

versus

THE STATE NCT OF DELHI

..... Respondent

Through: **Mr. Laksh Khanna, APP for State**

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **22.05.2024**

1. By way of present bail application filed under Section 439 read with Section 482 Cr.P.C., the applicant seeks regular bail in FIR No. 473/2022 registered under Sections 20,25,29 NDPS Act at Police Station Jahangir Puri, Delhi.

2. Learned counsel for the applicant states that the applicant is in custody since 01.04.2023 and that there has been no recovery from him. It is stated that the applicant has been arrayed as an accused on the basis of disclosure statement of co-accused Adil@ Adil Ansari, who has already been released on regular bail on 03.06.2023. He submits that the present applicant is not found involved in any other case and that the parameters of Section 37 NDPS Act are not satisfied in the instant case.

3. The bail is vehemently opposed by the learned APP for the State. He submits that though there is no recovery from the present applicant, the prosecution has relied on CDR connectivity. At the same time, there is no



transcript or messages to support the same.

4. Considering the totality of the facts and circumstances and that the co-accused have already been released on regular bail and the fact that the petitioner's role is at parity with that of the co-accused, it is directed that the applicant be released on regular 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 concerned Jail Superintendent/concerned Court/Duty M.M. and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer 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.

5. The bail application is disposed of in the above terms.

6. Copy of the order be communicated to the concerned Jail Superintendent electronically for information.

7. Copy of the order be uploaded on the website forthwith.



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 same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

MAY 22, 2024/rd