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

+ **BAIL APPLN. 2061/2024**

ZAKIR @ PAPPU

..... Petitioner

Through: Mr Ankaj Giri, Advocate.

versus

THE STATE(NCT OF DELHI)

..... Respondent

Through: Mr Ritesh Kumar Bahri, APP for the
State with SI Dharmendra Kumar, PS
Paharganj.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

07.06.2024

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CRL.M.A. 18195/2024

1. Allowed, subject to all just exceptions.

BAIL APPLN. 2061/2024

2. The present petition has been filed seeking regular bail in connection with FIR No.0192/2024 under Sections 20/29/61/85 NDPS Act registered at PS Paharganj.

3. The allegation against the present petitioner is with regard to recovery of 1200 gm. of *ganja* from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is in custody since 21.03.2024 and the quantity recovered is of intermediate quantity. In fact, the quantity is slightly higher than the small quantity i.e., 1 kg.



5. He further submits that the petitioner is aged about 30 years and he does not have criminal record.
6. *Per contra*, learned APP for the State submits that though the quantity recovered is intermediate quantity but the petitioner does not have any permanent address in Delhi. He further submits that the investigation is at the initial stage. The status report filed by the State before the learned Trial Court is already on record.
7. It is not in dispute that the small quantity in case of *ganja* is 1 kg. and the recovery in the present case made from the petitioner is 1200 gm., which is an intermediate quantity close to small quantity.
8. It is also not in dispute that the petitioner does not have any criminal record. The petitioner is in custody since 21.03.2024 and no further recovery is required to be made from him.
9. Insofar as the contention of the learned APP for the State that the petitioner does not have any permanent address in Delhi, the same can be verified by the learned Trial Court at the time of accepting bail bonds.
10. Considering the aforesaid circumstances, it is directed that the petitioner be released on regular bail subject to his furnishing a Personal Bond in the sum of Rs.20,000/- and one Surety Bond of the like amount to the satisfaction of the Trial Court/CMM/Duty Magistrate, further subject to the following conditions:-
 - a) Petitioner shall appear before the Court as and when the matter is taken up for hearing.
 - b) Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change



the mobile number without prior intimation to the Investigating Officer concerned.

c) Petitioner shall not indulge in any criminal activity.

11. While accepting the bail bonds, the learned Trial Court shall verify the permanent address of the petitioner given in the present petition.

12. It is clarified that the observations made herein above are only for the limited purpose of deciding the present bail application and the same shall not be construed as an expression of opinion on the merits of the case.

13. The petition stands disposed of.

14. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance and information.

15. Order *dasti* under signatures of the Court Master.

16. Order be uploaded on the website of this Court.

VIKAS MAHAJAN
(VACATION JUDGE)

JUNE 7, 2024
MK