



\$~57

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

+ **BAIL APPLN. 2308/2024**

VIVEK JAIN

.....Petitioner

Through: Mr. Rahul Sharma and Mr. Ankay
Giri, Advocates.

versus

THE STATE(NCT OF DEHI)

.....Respondent

Through: Mr. Ashneet Singh, APP for State
with SI Dhananjay Kumar PS
Bindapur, Delhi.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

%

08.07.2024

CRL.M.A.19478/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

BAIL APPLN. 2308/2024

1. The present application has been filed seeking anticipatory bail in FIR No. 0231/2024 registered under Sections 8/20/25/61/85 of the NDPS Act at P.S. Bindapur, Delhi.
2. Issue notice.
3. Notice is accepted by learned APP for State who seeks some time to file status report. Let the same be filed before the next date of hearing.
4. Mr. Rahul Sharma, learned counsel for the petitioner/applicant states that in the present case, the applicant has been impleaded on account of disclosure statement of one Rinku Sharma. He submits that besides the above, the application is opposed before the learned Sessions Court on



account of a previous involvement of the applicant in which case, the applicant already stands discharged by order dated 06.06.2023 passed by learned Special Judge (NDPS)/Addl. Sessions Judge, North East/KKD Courts, Delhi in FIR No.169/2018 registered under Sections 20/25/29 of the NDPS Act at PS Crime Branch, Delhi. He lastly submits that the applicant is ready and willing to join investigation.

5. Learned APP has opposed the bail application and submits that the data recovered from the co-accused's phone reflects that there was some connectivity between the co-accused and the present applicant, however no chats could be retrieved.

6. Keeping in view the aforesaid facts and circumstances, it is directed that in the event of arrest, the applicant be released on bail subject to his furnishing a personal bond in the sum of ₹25,000/- with one surety of like amount to the satisfaction of the Arresting Officer/Investigating Officer/SHO of the concerned Police Station and also subject to the following further conditions:-

- (i) 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.
- (ii) The applicant shall join the investigation as and when asked.
- (iii) The applicant shall inform the concerned Investigating Officer about his current residential address.
- (iv) In case of change of residential addresses/contact details, the applicant shall promptly inform the same to the concerned Investigating Officer/SHO.



(v) The applicant shall not directly or indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.

(vi) The applicant shall regularly appear before the trial Court.

7. The application is disposed of in the above terms.

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

JULY 8, 2024/*rd*