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

+ **BAIL APPLN. 2730/2024**

TARUN @ RANJAN

.....Petitioner

Through: Mr. Amjad Khan, Mr. Sumit Kumar
and Mr. Mohd. Nasir, Advocates.

versus

THE STATE NCT OF DELHI

.....Respondent

Through: Ms. Shubhi Gupta, APP for the State
with SI Om Prakash, ANTF, Crime
Branch.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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02.08.2024

CRL.M.A. 22810/2024 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed of.

BAIL APPLN. 2730/2024

By way of the present petition filed under section 482 read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks anticipatory bail in case FIR No.69/2024 dated 30.03.2024 registered under sections 21/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act').

At the outset, Ms. Shubhi Gupta, learned APP appearing for the State submits that a proclamation under section 82 of the Code of Criminal Procedure, 1973 was executed against the petitioner and *vide* order dated



18.07.2024, the learned Special Judge has declared him a proclaimed offender.

Learned APP further informs the court that as per police records, the petitioner is a member of a drug syndicate and is a registered 'bad character' of the area. The court is also informed that in this case a commercial quantity of heroine was recovered from the accused.

As per the mandate of the Supreme Court's in ***Srikant Upadhyay & Ors. vs. State of Bihar & Anr.***¹, a petition for anticipatory bail is ordinarily not maintainable once a person is a 'proclaimed offender'.

The petition is accordingly dismissed.

ANUP JAIRAM BHAMBHANI, J

AUGUST 2, 2024/ak

¹ [2024] 3 S.C.R. 421