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

+ **BAIL APPLN. 4164/2023**

JITENDER ALIAS BICHHU

.....Petitioner

Through: Mr. Akshay Bhandari, Mr. Dinesh Kumar Sharma, Mr. Anmol Sachdeva, Mr. Atul, Mr. Kushal Kumar, Ms. Mesha Saroa, Mr. Janak Raj Anubavat, Advs.

versus

STATE GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Aashneet Singh, APP
SI Vishan Kumar, ANTF
PS Crime Branch

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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14.11.2024

1. The present application has been filed under section 438 read with section 482 Code of Criminal Procedure, 1973 seeking grant of anticipatory bail in the event of arrest in F.I.R No. 197/2023, dated 09.08.2023 registered at PS Crime Branch, under sections 21/25/29 NDPS Act on the ground that the applicant has not been named in the FIR and has no direct role attributable to him.
2. It is stated that the applicant was only named in the disclosure statement of the other co-accused, namely Mr. Daya Shankar and other than that there is no material on record to show any connection of the applicant with the alleged offence.
3. The applicant was granted interim protection on 12.12.2023 by this Court and pursuant to the said protection; the applicant has joined the investigation and cooperated as well.
4. The investigation is complete and chargesheet qua the other co-



accused has already been filed.

5. In view of the fact that the investigation is complete and the applicant was not named in the FIR, I am inclined to allow the present application.

6. For the reasons noted above, the application is allowed and in the event of the arrest of the petitioner in F.I.R No. 197/2023, dated 09.08.2023 registered at PS Crime Branch, under sections 21/25/29 NDPS Act, the applicant will be released on bail subject to furnishing surety bond and personal bond to the tune of Rs. 10,000/- each to the satisfaction of the concerned Investigating Officer and also subject to the following further conditions:-

- i. The applicant shall provide his mobile number to the Investigating Officer (IO) concerned, which shall be kept in working condition at all times. The applicant shall not switch off, or change the same without prior intimation to the IO concerned.
 - ii. The applicant will furnish his permanent address to the IO and in case he changes his address, he will inform the IO concerned;
 - iii. The applicant shall not leave the country and if the applicant has a passport, he shall surrender the same to the concerned IO;
 - iv. The applicant shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any.
7. The petition is allowed and disposed of in the aforesaid terms.

JASMEET SINGH, J

NOVEMBER 14, 2024/sp