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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3470/2024**
GUTTIMUKHALA ARYA

.....Petitioner

Through: Mr. Faiz Imam, Adv.
versus

STATE OF N.C.T. OF DELHI

.....Respondent

Through: Ms. Meenakshi Dahiya, APP
SI Sumit Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **13.11.2024**

1. This is an application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') [erstwhile Section 439 of Code of Criminal Procedure, 1973 ('CrPC')] seeking regular bail to the applicant in the FIR No. 224/2024 dated 17.07.2024, under Section 20 of the NDPS Act, registered at Police Station - I.P. Estate.
2. It is stated that the applicant was apprehended with 1310 grams of *ganja* including packing material. At best, the quantity recovered from the applicant is intermediate quantity and the applicant has been in custody since 17.07.2024. It is stated that the applicant is 20-years old, sole bread earner of his family and has to look after his aged parents. In addition, the applicant has no criminal antecedents. The investigation is complete and charge-sheet has been filed. It is further stated that there are 14 witnesses cited by the prosecution and the evidence will take time.
3. In view of the facts stated above and in view of the fact that the applicant was allegedly apprehended with intermediate quantity, the applicant does not have to meet the twin-test of Section 37 of the NDPS Act.



4. For the said reasons, the application is allowed and the applicant is directed to be released on bail on the following terms and conditions:-

- i. The applicant shall furnish a personal bond and a surety bond in the sum of Rs. 10,000/- each, to the satisfaction of the concerned Trial Court;
 - ii. The applicant shall appear before the concerned Court as and when the matter is taken up for hearing; and the applicant shall join investigation as and when called by the Investigating Officer (IO) concerned;
 - iii. The applicant shall provide his mobile number to the 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, during the period of bail;
 - iv. In case the applicant changes his address, he will inform the concerned IO;
 - v. The applicant shall report to the local Police Station on the first Monday of every month;
 - vi. The applicant shall not leave the country during the bail period and surrender his passport, if any, at the time of release before the concerned IO;
5. The application/petition stands disposed of in the aforesaid terms.
6. *Dasti.*

JASMEET SINGH, J

NOVEMBER 13, 2024 / (MS)

[Click here to check corrigendum, if any](#)