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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3576/2024**

MOHD AJAM

.....Petitioner

Through: Mr. Amar Nath Saini and Mr. Karan
Gupta, Advocates.

versus

STATE GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State
with SI Sudhir Kumar, P.S.
ANTF/Crime Branch.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

11.11.2024

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1. By way of present application, the applicant seeks regular bail in FIR No. 231/2023 registered under Sections 21/29 of the NDPS Act at P.S. Crime Branch.
2. Learned counsel for the applicant submits that applicant is in custody since 27.09.2023 and as per the prosecution case, only 40 grams of heroin being intermediate quantity was recovered at his instance. He further submits that charge-sheet having been filed on 22.03.2024, charge is yet to be framed. Lastly, it is submitted that prosecution has cited 20 witnesses and the trial will take a long time to conclude.
3. Ld. APP for the State, on the other hand, has opposed the bail application. He submits that the applicant was arrested alongwith co-accused from whose possession 260 grams of heroin was recovered. It is also submitted that present FIR is registered under Sections 21/29 of the NDPS



Act. He however, on instructions, submits that applicant is not found to be involved in any other case.

4. I have heard learned counsel for the petitioner and learned APP for the State and gone through the records.

5. Considering that only 40 grams of heroin was recovered from the present applicant who has been in custody for more than one year and charge is yet to be framed and the further fact that applicant is not found to be involved in any other case, this Court deems it fit to release the applicant on regular bail subject to him furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/concerned Court/Duty Judicial Magistrate/Link Judicial Magistrate and subject to the following further conditions :-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

5. The bail application is disposed of in the above terms.

6. Copy of the order be communicated to the concerned Jail



Superintendent for information and necessary compliance.

7. Needless to state that the observations made hereinabove are only for the purpose of disposal of present bail application and which shall not have a bearing on the trial of the case.

MANOJ KUMAR OHRI, J

NOVEMBER 11, 2024

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