



\$~85

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3805/2024**
ARUN

.....Petitioner

Through: Counsel (appearance not given).
versus

THE STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for State with SI
Onkar, PS Badarpur.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

%

21.10.2024

CRL.M.A. 31582/2024

Exemption allowed, subject to just exceptions.

Application stands disposed of.

BAIL APPLN. 3805/2024

1. An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') read with Section 528 BNSS has been preferred on behalf of petitioner for grant of regular bail in FIR No. 346/2024 under Sections 20/61/85 of NDPS Act registered at PS: Badarpur.
2. Issue notice. Learned APP for State appears on advance notice and accepts notice.
3. In brief, as per the case of prosecution, on 02.06.2024 on basis of secret information, petitioner was apprehended and on search a "Matila Thela" containing 4892 grams of ganja was recovered from his possession. Due compliance of various provisions including Sections 42 and 50 of NDPS Act is stated to have been made.
4. Learned counsel for petitioner submits that contraband allegedly



recovered is of intermediate quantity and petitioner has no previous involvement in any case under NDPS Act. He further submits that petitioner is in custody since 03.06.2024 and disposal of case is likely to take considerable time as charge is yet to be framed.

5. On the other hand, learned APP for the State opposes the application and submits that as per SCRB report petitioner is involved in 11 other cases including different sections of IPC and Arms Act.

6. Chargesheet has already been filed and there is no possibility of influencing the witness, since all the material witnesses are police officials. Considering the totality of facts and circumstances, petitioner is admitted to bail on furnishing a personal bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount to the satisfaction of the learned trial court and subject to the following conditions:

- (i) Petitioner shall provide his mobile number to the Investigating Officer (IO) concerned/SHO concerned at the time of release.
- (ii) In case of change of address, petitioner shall intimate / communicate his fresh address to the IO / SHO concerned as well as learned Trial Court;

Application is accordingly disposed of.

A copy of this order be forwarded to the learned Trial Court and Superintendent Jail for information and compliance.

ANOOP KUMAR MENDIRATTA, J

OCTOBER 21, 2024/VLD