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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 3994/2024**

MOHD RAFIQ

.....Petitioner

Through: Mr. Faraz Nabi, Advocate.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State
with SI Jitendra, P.S. AATS/SED.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

26.11.2024

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1. By way of the present application, the applicant seeks regular bail in FIR No. 923/2023 registered under Sections 2029/61/85 of NDPS Act at P.S. Okhla Industrial Area.
2. Learned counsel for the applicant submits that applicant is in custody since 07.12.2023 and that no recovery has been effected at the instance of the present applicant. He further submits that though the charge-sheet has been filed however, charges are yet to be framed. Lastly, it is submitted that applicant is not involved in any other case.
3. Bail application is resisted by Ld. APP who contends that applicant's name has cropped up in the disclosure statement of co-accused. As per the prosecution case, present applicant alongwith co-accused Qutub are one of the suppliers of the substance. Ld. APP, on instructions, however confirms that applicant is not found involved in any other case.
4. I have heard the learned counsels for the parties and perused the



material placed on record.

5. Considering the aforesaid facts and circumstances and also the fact that charges are yet to be framed, 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 M.M. 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.

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

7. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

8. 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 26, 2024/ga