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

+ **BAIL APPLN. 4018/2024**

KINGSLEY CHIZOBA URAMA

.....Petitioner

Through: Mr.Anup Kr. Das, Mr. Uday Chauhan
and Ms.Aayushi Gupta, Advocates

versus

DIRECTORATE OF REVENUE INTELLIGENCERespondent

Through: Mr.Aditya Shekhar, Sr. Standing
Counsel

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **10.12.2024**

1. By way of present bail application, the applicant seeks regular bail in Case No. DRI/HQ-GI/338/XVIII/ENQ-1 I/INT-NIL/2023 registered under Sections 21/23/29 of the NDPS Act at P.S. DRI, New Delhi.
2. Learned counsel for the applicant submits that the applicant is in custody since 30.07.2023 and the prosecution complaint stands filed. He further submits that though there is no recovery effected from the present applicant, the prosecution has alleged the recovery of 5.2 kg of heroin from the co-accused *Venkat Mohan Karla*. He further submits that another co-accused namely *Shailja Siramshetty@ Tulsi* has already been released on regular bail by this Court vide order dated 12.07.2024. It is also submitted that the applicant is not involved in any other case. Lastly, it is submitted that though the prosecution has cited 48 witnesses, the charges have not



been framed till date.

3. Learned Sr. Standing Counsel for DRI has opposed the present bail application. He submits that during the investigation material has been collected, which shows that the applicant was in constant touch with one *Ifeanyi Aji* as well as *Shailja Siramshetty@ Tulsi*. He further submits that on 20.07.2023, the applicant had received a photograph of the hotel where the exchange was to take place from *Ifeanyi Aji* whereafter *Ifeanyi Aji* had also transferred a sum of Rs.1,40,000/- to *Shailja Siramshetty@ Tulsi*. On that very date, the applicant had also received a photograph of *Venkat Mohan Karla* from *Ifeanyi Aji*, which was forwarded by the applicant to *Shailja Siramshetty@ Tulsi*. It is submitted that when *Venkat Mohan Karla* arrived at IGI Airport, he was apprehended and the aforesaid consignment was seized at his instance. It is also submitted that the applicant has made a confessional statement under Section 67 of NDPS Act, 1985 wherein he stated that the consignment was meant for *Shailja Siramshetty@ Tulsi*. He, however, on instructions, confirms that the applicant is not found involved in any other case.

4. I have heard learned counsel for the applicant as well as learned Sr. Standing Counsel for DRI and have also gone through the material placed on record. From the above, it is apparent that the only material cited against the applicant is of receiving the photographs of the hotel and of *Venkat Mohan Karla* from *Ifeanyi Aji* and the latter was forwarded by him to *Shailja Siramshetty@ Tulsi*. There is also CDR connectivity between the applicant and *Shailja Siramshetty@ Tulsi*. Besides that, there is no other material against the applicant.



5. Keeping in mind the custody period as well as the further fact that the charge is yet to be framed and the prosecution has cited 48 witnesses and the fact that the co-accused *Shailja Siramshetty@ Tulsi* has already been released on bail, the applicant is directed to be released on regular bail subject to the verification of his address as well as further subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty J.M./Link J.M. and subject to the following further conditions :-

- i) The applicant shall surrender the passport with the concerned I.O./trial court, if not already surrendered.
- ii) The applicant shall not leave the NCR without prior permission of the concerned Court.
- iii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iv) 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.
- v) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- vi) 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 electronically for information and necessary compliance.
8. Copy of the order be uploaded on the website forthwith.
9. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

DECEMBER 10, 2024

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