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

+ **BAIL APPLN. 4384/2025**

MD. MEHBUB

.....Petitioner

Through: Mr. B.P. Verma, Sr. Advocate with
Mr. Bipin Kr. Jha, Mr. Alok Kumar Dwivedi and
Ms. Komal Jha, Advocates.

versus

STATE (GOVT. OF NCT DELHI)

.....Respondent

Through: Mr. Tarang Srivastava, learned APP
for State ASI Pankaj Rajora.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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15.12.2025

1. The present petition has been filed on behalf of the petitioner under Section 483 BNSS read with Section 528 of BNSS seeking regular bail in connection with FIR No. 283/2025, under Section 20 of NDPS Act, registered at PS-Ambedkar Nagar, District South, Delhi.
2. The case of the prosecution is that when the patrolling team of police reached near the Laxmi Narayan Temple, Samshan Ghat Road, Madan Gir Village, Ambedkar Nagar, New Delhi, they noticed a man walking towards Shamshan Ghat Road carrying a blue coloured bag in his hand. After noticing the police person in uniform, the said person attempted to flee. However, he was apprehended by the patrolling team. On checking the bag, Ganja was found in the said bag which weighed 11.386 Kg. The said person was identified as Manoj Ram.



3. During interrogation, co-accused Manoj Ram disclosed he was allured by his associate Mohd. Mehbub (present petitioner), resident of his native village. He further disclosed that they procured Ganja from a person in Nepal with the intention of selling it at higher price in Delhi.

4. The CDR analysis was conducted, which led to the arrest of the present petitioner from Sadar Bazar area. However, no recovery was made from the present petitioner.

5. Mr. B.P. Verma, learned Senior Counsel appearing on behalf of the petitioner submits that there is no recovery of contraband made from the petitioner. He submits that even if the recovery made from co-accused Manoj Ram is taken into consideration, the contraband is of intermediate quantity. He further submits that the petitioner does not have any previous involvement.

6. *Per contra*, Mr. Tarang Srivastava, learned APP appearing on behalf of the State has argued on the lines of status report, a copy of which has been handed over across the bar. The said status report is taken on record.

7. I have heard Mr. B.P. Verma, learned Senior Counsel appearing on behalf of the petitioner as well as Mr. Srivastava, learned APP for the State.

8. On being queried by the Court, Mr. Srivastava, on instructions from the IO who is present in the Court, fairly states that no recovery was made from the present petitioner. He further concedes that the recovery made from co-accused Manoj Ram is of intermediate quantity. On further being queried by the Court, as to whether there is any previous involvement of the present petitioner, Mr. Srivastava, on instructions from the IO, submits that as per the record there are no previous involvements of the petitioner.

9. As there is no recovery made from the present petitioner, and the



recovery made from co-accused, Manoj Ram is of intermediate quantity, the provisions of Section 37 of the NDPS Act, 1985 will not be applicable.

10. It is also not in dispute that the antecedents of the petitioner are clean.

11. The petitioner has already suffered incarceration since 02.06.2025. Further, the presence of petitioner during trial and his availability to undergo sentence, in the event of his conviction could be ensured by putting conditions.

12. In view of the above, this Court is of the view that the petitioner has made out a case for grant of regular bail.

13. Accordingly, the petitioner is admitted to regular bail 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 learned Trial Court/JMFC/Duty JM, further subject to the following conditions:

- a. Petitioner shall appear before the learned Trial Court as and when the matter is taken up for hearing.
- b. Petitioner shall provide mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
- c. Petitioner shall not temper with evidence or communicate with or come in contact with witnesses.

14. It is clarified that the observations made herein above are only for the limited purpose of deciding the present bail application, and the same shall not be construed as an expression of opinion on merits of the case.

15. The application is disposed of.



16. Copy of the order be forwarded to the concerned Jail Superintendent for necessary compliance.
17. Pending applications stand disposed of.
18. Order *dasti* under signatures of the Court Master.

VIKAS MAHAJAN, J

DECEMBER 15, 2025/jg