



\$~9

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

+ **BAIL APPLN. 95/2026**

AMBER AGRAHARI

.....Petitioner

Through: Mr. Kirti Uppal, Senior Advocate
with Mr. Manu Bakshi, Mr. Nitesh
Shokeen, Mr. Shagun Khurana, Mr.
Keshav Das Monga and Mr. Vaibhav
Negi, Advocates

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Manoj Pant, APP for the State

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

10.03.2026

%

1. By way of the present application, the applicant seeks grant of regular bail in case arising out of FIR bearing no. 64/2025, registered at Police Station Crime Branch, North Delhi, for the commission of offence punishable under Sections 21/22/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereafter '*NDPS Act*').

2. Briefly stated, the case of the prosecution is that pursuant to receipt of secret information, a raiding team was formed and co-accused Vikas was apprehended while carrying a jute bag on his motorcycle. Upon search, 28 boxes of capsules containing Dicyclomine HCl, Tramadol HCl and Acetaminophen, comprising 6720 capsules (336 grams), were recovered. After compliance with the mandatory provisions of law, the co-accused



Vikas was arrested, his disclosure statement was recorded and the recovered medicines were seized. Pursuant to the disclosure statement of co-accused Vikas, co-accused Sudhir, who is stated to be the proprietor of Dev Rishi Medical Store, was arrested from Gannaur, Sonapat, and 505 tablets of Alprazolam and 664 capsules of Tramadol were recovered from the medical store operated by him. During further interrogation, co-accused Sudhir and Vikas disclosed the involvement of one Sudhir Kumar Bhardwaj @ Neetu, who was stated to be the co-owner of the said medical store. He was subsequently arrested on 05.04.2025. During interrogation, co-accused Sudhir Kumar Bhardwaj disclosed that he had procured the contraband from co-accused Ajeet @ Jeetu, a resident of Sangam Vihar, Delhi, for a sum of ₹88,000/-.

3. Thereafter, on 07.04.2025, a raid was conducted at the instance of co-accused Sudhir Kumar Bhardwaj at the residence of co-accused Ajeet @ Jeetu. Although Ajeet was not found present at his house, during the search of the premises, 18,000 tablets of Tramadol (1.8 kg) and 7,400 tablets of Nitrazepam Tablets IP 10 mg (Elza-10) were recovered from a room on the ground floor of the house. Subsequently, on 08.04.2025, co-accused Ajeet Kumar was apprehended. During his personal search, ₹69,500/- were recovered. During interrogation, he disclosed that he had procured the recovered Tramadol tablets and capsules from one Pandey, who was stated to be operating Shivam Medicos, Gorakhpur, Uttar Pradesh, and that recovered Nitrazepam tablets were procured from one Vijay Goyal of Agra, U.P. Pursuant to the said disclosure, the present applicant/accused Amber Agrahari @ Pandey was apprehended on 13.04.2025 from Hotel Hari Piorko, Paharganj, Delhi, and a sum of ₹1,16,000/- was recovered from his



possession. During interrogation, the applicant disclosed that he had procured the medicines from Keshav Aushadhi Ghar, Medical Store, Gorakhpur, Uttar Pradesh. During investigation, notice under Section 67 of the NDPS Act was served upon Surender Nath Pandey, owner of Keshav Aushadhi Ghar, who joined the investigation on 11.06.2025. He stated that the capsules Pyeevon Spas Plus Tramadol (Batch No. OYEC-215), which were recovered from co-accused Vikas and Sudhir, had been purchased from Khatu Shyam Pharma, Gorakhpur. He further stated that Superdom 100 SR Tablets (Tramadol), Batch No. MT-289, which were recovered from the house of co-accused Ajeet, had been purchased from Addom Pharmaceuticals, Mumbai. He also confirmed that these medicines had been supplied to the present applicant through proper billing and produced copies of the relevant bills. The investigating agency thereafter verified the supply chain from Khatu Shyam Pharma, and notices were issued to Laborate Pharmaceuticals and Addom Pharmaceuticals, both of whom furnished copies of the relevant bills and confirmed the legitimacy of the supply chain, which was found to be in order. Co-accused Vijay Goyal, who is stated to be the source of the 7,400 Nitrazepam tablets recovered from co-accused Ajeet @ Jeetu, was found to be in judicial custody in connection with another FIR and was formally arrested in the present case. During interrogation, Vijay Goyal disclosed that he had procured the said substance from one Jatin, who had supplied the medicines to him during the months of June–July, 2023. The said tablets were thereafter supplied by Vijay Goyal to Ajeet @ Jeetu in Delhi. According to the prosecution, the present applicant is the direct link in the alleged supply chain of the psychotropic substance, and the total quantity of the recovered contraband falls within the category of commercial



quantity.

4. The learned senior counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. It is contended that the applicant is alleged to be the source of the 18,000 tablets, whereas co-accused Vijay Goyal is alleged to be the source of the 7,400 Nitrazepam tablets, all recovered from the house of co-accused Ajeet @ Jeetu in the present case. It is submitted that co-accused Vijay Goyal, against whom similar allegations have been levelled, has already been granted regular bail. It is further submitted that no recovery of any psychotropic substance has been effected from the present accused/applicant and that there is no material on record to connect the applicant with the alleged recovery made in the present case. It is, therefore, prayed that the applicant be granted regular bail.

5. The learned APP appearing on behalf of the State, on the other hand, submits that a sum of ₹1,16,000/-, alleged to be the proceeds received from the supply of psychotropic substances to co-accused Ajeet, was recovered from the present accused/applicant. It is further argued that there exists a chain of connectivity between the present applicant and the other co-accused persons involved in the case. It is, therefore, prayed that the present bail application be dismissed.

6. This Court has **heard** arguments addressed by learned senior counsel for the applicant and the learned APP for the State, and has perused the material on record.

7. In the present case, this Court notes that, as per the prosecution case, the present accused/applicant is alleged to be a link in the supply chain of



psychotropic substances forming part of a larger drug distribution network. The prosecution alleges that 18,000 Tramadol tablets (1.8 kg) and 7,400 Nitrazepam tablets (Elza-10) were recovered from the premises of co-accused Ajeet Kumar @ Jeetu, who, in his disclosure statement, had named the present applicant Amber Agrahari @ Pandey as the person from whom the Tramadol tablets had been procured by him.

8. However, at this stage, it is noted that the prosecution case against the present applicant primarily rests upon the disclosure statements of co-accused Ajeet Kumar @ Jeetu and the applicant himself recorded during investigation. *Concededly*, no recovery of any psychotropic substance has been effected from the possession of the present applicant. The prosecution has also relied upon the recovery of a sum of ₹1,16,000/- from the applicant at the time of his apprehension; however, the mere recovery of cash, at this stage, cannot by itself conclusively establish that the said amount was received by the applicant from co-accused Ajeet or that it represents proceeds of the alleged psychotropic substance.

9. It is also a matter of record that co-accused Vijay Goyal, who has been attributed a similar role in the present case, i.e. being the alleged source of 7,400 Nitrazepam tablets recovered from co-accused Ajeet Kumar @ Jeetu, has already been granted regular bail. It has also been fairly conceded by the learned APP for the State that the said co-accused had prior involvement in another case under the NDPS Act and in contrast, the present applicant is not involved in any previous criminal case.

10. Further, it is not in dispute that the present applicant is the proprietor of a medical store. It is also mentioned in the status report filed by the State



that during investigation, the supply chain of the recovered Tramadol tablets, up to the present applicant, was verified inasmuch as one Surender Nath Pandey, owner of Keshav Aushadhi Ghar, Gorakhpur, had joined the investigation and disclosed that the medicines in question had been purchased by him from Khatu Shyam Pharma, Gorakhpur and Addom Pharmaceuticals, Mumbai, and had been supplied to the present applicant through proper billing. Copies of the relevant bills were produced, and the same were also verified from the concerned distributors and pharmaceutical companies.

11. In these circumstances, for the limited purpose of consideration of bail, this Court is satisfied that the twin conditions under Section 37 of the NDPS Act stand satisfied at this stage.

12. Further, the applicant has been in judicial custody since 13.04.2025, and chargesheet against him has already been filed before the concerned Court. Therefore, considering the overall facts and circumstances of the case, the nature of allegations, the role attributed to the applicant, the absence of any recovery from him, and the parity with co-accused who has already been granted bail, this Court is inclined to grant bail to the present applicant, on his furnishing personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the Trial Court/Successor Court/Link Court/Duty Judge concerned on the following terms and conditions:

- i) The applicant shall not leave the country without prior permission of the concerned Court and if he has a passport, he shall surrender the same to the concerned trial court.



- ii) The applicant shall share his contact details (mobile numbers and residential address) with the IO/SHO and the Trial Court; and in case of any change in the said details, the applicant shall promptly inform the same to the concerned Court and the concerned IO/SHO.
 - iii) The applicant shall appear before the Trial Court on every date of hearing unless exempted;
 - iv) The applicant shall not indulge in any criminal activity;
 - v) The applicant shall not communicate with, or come into contact with the complainant or any of the prosecution witnesses, or tamper with the evidence of the case.
13. The bail application is accordingly disposed of.
14. Nothing expressed hereinabove shall tantamount to an expression of opinion on the merits of the case.
15. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 10, 2026/vc
T.D.