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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **BAIL APPLN. 1594/2026&CRL.M.A. 12750/2026**
AFTABPetitioner

Through: Mr. Hasim Alam with Ms. Khushi A
Ayubi, Ms. Archana, Mr. Abhishek
Mr. Salahuddin Ayubi, Advocates.

versus

STATE OF (NCT OF DELHI)Respondent
Through: Mr. Ashneet Singh, APP with SI
Vishan Kumar.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **24.04.2026**

1. Applicant seeks regular bail in case arising out of FIR No. 22/2026 dated 02.02.2026, for commission of offence under Section 21 of *Narcotic Drugs and Psychotropic Substances (NDPS), Act, 1985*, registered at P.S. Crime Branch.
2. As per the case of prosecution, a secret information was received on 02.02.2026 that a drug peddler, namely Sushant Gupta, would come near Shastri Park, Delhi to deliver huge quantity of drugs. The information was conveyed to Senior Officers and, thereafter, a raiding team was prepared. As per such information and at the instance of informer, said Sushant Gupta was apprehended and from his personal search, 273 gms of *heroin* was recovered.
3. During investigation, Sushant Gupta made disclosure statement claiming that he had procured the abovesaid contraband from Aftab i.e. applicant herein and during police custody remand, he led the police party to Bareilly, Uttar Pradesh but applicant could not be traced.
4. However, thereafter another raid was conducted on 06.03.2026 and

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applicant was arrested and from his personal search, the police was able to recover 23 gms of *heroin*. One small electronic weighing machine was also recovered from this possession and he disclosed that he was procuring *heroin* from one Pawan.

5. Fact remains that police has yet not been able to reach said Pawan.

6. Learned counsel for the applicant submits that the case has been planted and nothing was recovered from the possession of the applicant. He submits that even if the case of the prosecution is believed *in toto*, the recovery in question is of *intermediate quantity*. It is argued that the applicant is in his twenties, with no previous involvement of any nature whatsoever, and since the investigational aspects are already over, it is a fit case where the applicant should be bailed out.

7. IO is present in Court and submits that that they are making best efforts to reach the abovesaid source i.e. Pawan.

8. Nominal Roll of the applicant has been requisitioned, which does not disclose any past involvement.

9. Keeping in mind the overall facts of the case, the young age of the applicant and the fact that he is not required for any investigational purpose, and since conscious recovery from his possession is of 23 gms. of *heroin* only, *albeit*, without expressing any opinion over the merits of the case, the applicant is, hereby, directed to be released on bail on his furnishing personal bond in a sum of Rs. 25,000/- with one '*local*' surety of like amount, subject to the satisfaction of learned Trial Court/CJM/Duty Magistrate with following conditions:-

- (i) The applicant would provide his Mobile Number and would ensure that such Mobile Number remains active and operational, till the disposal of the case by the learned Trial Court.



- (ii) The applicant would not try to come in contact of any public witness, directly or indirectly.
- (iii) The applicant would not change his address and in case there is any change in the address, the same shall be duly intimated not only to the Investigating Officer but also to the learned Trial Court.
10. The application stands disposed of in aforesaid terms.
11. Pending application also stands disposed of.

MANOJ JAIN, J

APRIL 24, 2026/sw/js