

3rd Regular Bail Application
State Vs. Bartholomew Okoh @ Prince
FIR no. 380/2025
PS Karol Bagh
U/s 21 NDPS Act

30.03.2026

This is the 3rd application U/s 483 BNSS, 2023 seeking grant of regular bail to the applicant/ accused.

Present: Sh. K.P. Singh, Ld. Addl. PP for State.
Ms. Kanchan Dewan, Ld. Dy. Chief LADC for applicant/accused.
IO SI Monu Chauhan in person.

Reply to the bail application is filed. Copy supplied.

Arguments heard.

Ld. Counsel for the applicant/ accused submits that the applicant/ accused has been falsely implicated in the present case and nothing was recovered from his possession. According to her, the alleged 25.50 gram Cocaine has been planted upon applicant/accused. She further argued that the investigation is already complete and the charge-sheet has already been filed. She further submits that all the witnesses are police officials, therefore, there is no chance of intimidating the witnesses. She further submits that no videography or photography was done by the police while doing the alleged recovery and the police did not join any independent witness during recovery. She further argued that applicant/accused is in JC since 10.03.2025 and the investigation is already complete. She also submits that the applicant/accused is the sole bread earner in his family.

In view of aforesaid, she requests that the applicant/accused may be admitted to bail.

Per contra, Ld. Addl. PP for the state as well as IO

have vehemently opposed the bail application stating that on 09.03.2025 a secret information was received to the effect that one Nigerian is in the business of supplying Cocaine and if raid is conducted he can be apprehended. Thereafter, compliance was made under Section 42 NDPS Act and raid was conducted and during raid the applicant/accused was arrested and 25.50 gram Cocaine was recovered from his possession. They further argued that earlier applicant/accused was apprehended by NCB in the year 2016 and 500 gram Cocaine was recovered from his possession. The trial of the said case is still going on and the applicant/accused is on bail in that case. They further submit that in the year 2016, it was found that the applicant/accused was having forged and fabricated visa and he was illegally residing in India. Therefore, another FIR bearing no. 696/2016 was registered and the applicant/accused has already been convicted in the said FIR for the offence punishable u/s 14 of Foreigners Act.

They further submit that the videography of recovery was made and uploaded on e-Sakshaye App.

They further submit that though the investigation is already complete but the applicant/accused is habitual offender and he may repeat the offence if he is admitted to bail. Therefore, they request to dismiss the bail application.

Submissions considered. Record perused.

As per record, the applicant/accused was found in possession of 25.50 gram Cocaine on 09.03.2025. It is observed that one another NDPS case is going on against the applicant/accused and in that said case he is on bail. However, it is noted that during the pendency of said case, the

applicant/accused has committed the present offence. At the same time, it is also observed that the applicant/accused was having forged visa in the year 2016 and thereafter he was convicted for offence U/s 14 of Foreigners Act.

Thus prima facie, the allegations against applicant/accused are serious in nature and since the applicant/accused is resident of out of India, therefore, he is also prone to flee out of India to avoid trial.

It is well settled that the nature and gravity of accusation, severity of the punishment, danger of the accused absconding, reasonable apprehension of the witnesses being influenced, prime facie case against the accused, danger to the society etc. are factors which have to be kept in mind while exercising powers for grant of bail. In my considered opinion and owing to the given facts and circumstances of the case, I am not inclined to grant bail to the applicant/ accused at this stage. Accordingly, bail application of the applicant/ accused **Bartholomew Okoh @ Prince** stands **dismissed**.

The observations made on the merits of the case are purely for the purposes of deciding the present bail application and shall not be construed as expression upon the merits of the case.

Copy of the order be given dasti to the IO as well as to the Ld. Counsel for applicant/ accused and be communicated to the applicant/ accused through Jail Superintendent for information.

(Virender Singh)
Special Judge, NDPS,
Central,THC, Delhi/30.03.2026