

Bail Application
FIR No. 194/25, State Vs. Dipak Kumar
PS Gulabi Bagh, U/s 20/25/29 NDPS Act

22.01.2026

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

Present: Sh. Himanshu Garg, Ld. Subst. Addl. PP for State.
Sh. G.S. Singh, Ld. counsel for applicant/ accused.
Deputed IO ASI Shridhar in person.

Reply to bail application is already filed. Copy already supplied.

Arguments heard.

Ld. counsel for the applicant/ accused submits that the applicant/ accused has been falsely implicated in this case and the case property is planted upon him.

He further submits that allegedly, 5.233 Kg. Ganja was recovered from the possession of the applicant/ accused, which is an intermediate quantity. He further argues that as per the report, total 9.569 Kg. Ganja was recovered, which is an intermediate quantity.

He further submits that co-accused persons namely Reena and Noori have already been admitted to bail and the allegations against the applicant/ accused and said accused persons are similar. He further submits that the investigation is already complete and the charge-sheet is already filed.

He further submits that the applicant/ accused is already acquitted in all matters in which he is stated to be involved. He further argues that after arrest of the applicant/ accused, the said information U/s 57 of NDPS Act was sent to the Superior Police Officials but in the entire report, IO has not

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mentioned about giving of notice U/s 50 NDPS Act to the applicant/ accused. Thus, according to him, no notice U/s 50 of NDPS Act was served upon the applicant/ accused. In support of his submissions, he relies upon *Arif Khan @ Agha Khan Vs. The State of Uttarakhand, Crl. Appeal No. 273/2007, decided on 27.04.2018*. He requests that the applicant/ accused may be admitted to bail.

Per contra, Ld. Subst. Addl. PP for the state as well as IO (by way of reply) have vehemently opposed the bail application.

IO has filed detailed reply.

Submissions considered. Record perused.

Ld. counsel for applicant/ accused has filed copies of three judgments in which accused has been acquitted.

As per facts of the case, allegedly, 5.233 Kg. Ganja was recovered from the possession of the applicant/ accused. Thereafter, accused Reena Devi and Noori were arrested. As per record, they are already on bail. Applicant/ accused is in JC since 04.07.2025. Matter is at the stage of framing of charge. Thus, trial will take time and no fruitful purpose would be served by further keeping the applicant/ accused behind bars. In the overall facts and circumstances of the case, bail application of the applicant/ accused is allowed and applicant/ accused **Dipak Kumar** is admitted to bail on furnishing personal bond in the sum of Rs. 30,000/- with one surety in the like amount and subject to condition that :-

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- (i) That applicant/ accused shall not, directly or indirectly, make any inducement, threat or promise to the complainant or any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (ii) That applicant/ accused shall upon his release provide his mobile number to the IO/ SHO and keep his such mobile 'Switch On' at all times.
- (iii) That applicant/ accused shall intimate to the IO/ SHO about any change in his mobile number or address;
- (iv) The applicant/ accused will not influence the witnesses nor tamper with any evidence;
- (v) That applicant/ accused shall not leave the country without permission of the Court;
- (vi) That applicant/ accused shall appear on each and every date of hearing before the Court.

Application stands **disposed of** accordingly.

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/22.01.2026