

Regular Bail Application No. 11/26 in SC no. 728/24
State Vs. Wilson Jacks,
FIR No. 255/24
PS Civil Lines
U/s 21/29 NDPS Act & 78 JJ Act

25.03.2026

Present: Sh. K. P. Singh, Ld. Addl. PP for State.
Sh. Pramod Kumar, Ld. counsel for the applicant/
accused.
IO ASI Arun Singh in person.

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

Ld. counsel for the applicant/ accused has filed copy
of bail orders vide which previous bail applications of the
applicant/ accused have been dismissed.

Arguments have already been heard.

On 24.03.2026, Ld. counsel for the applicant/
accused, Ld. Addl. PP for State and IO have argued that "Ld.
counsel for the applicant/ accused submits that this is the 5th bail
application of the applicant/ accused and previous bail
application of the applicant/ accused was dismissed on
26.02.2026. However, according to him, thereafter, co-accused
Neha @ Moti has been admitted to bail vide bail order dated
11.03.2026.

He further argues that allegedly, only 21.3 gram
Heroin was recovered from the possession of the applicant/
accused which is an intermediate quantity. He further argues that
thereafter, allegedly, 272 gram Heroin was recovered from the
house of accused Neha @ Moti at the instance of the applicant/
accused but vide order dated 11.03.2026 qua bail application of
accused Neha @ Moti, the case of prosecution is found doubtful.

He further argues that the place of recovery is a public place but no public person was joined during alleged recovery from the applicant/ accused. He further argues that the said recovery was not videographed or photographed.

He further argues that the applicant/ accused is in JC from 20.01.2026. He further argues that investigation is already complete and the charge-sheet has already been filed. He further argues that the applicant/ accused is not involved in any other case. He further argues that the applicant/ accused was earlier admitted to interim bail and during that period, he did not disobey any bail condition and surrendered in time. He has relied upon judgment *Sajan Kumar Vs. The State (NCT of Delhi), Bail Appln. 4955/2025 & Crl. M.A.38226/25, decided on 22.01.2026.*

In view of abovesaid, he prayed that the applicant/ accused is also entitled to be admitted to bail on the ground of parity.

Per contra, Ld. Addl. PP for the State as well as IO have vehemently opposed the bail application of the applicant/ accused stating that the chance recovery of 21.3 gram Heroin was made from the possession of the applicant/ accused. Thereafter, at his instance, co-accused Aakash was apprehended and 268 gram Heroin was recovered from his possession. Thereafter, at the instance of the applicant/ accused, co-accused Neha @ Moti was arrested and 272 gram Heroin was recovered from her house. Thus, according to them, commercial quantity of Heroin was recovered at the instance of applicant/ accused and therefore, Section 37 of NDPS Act is applicable.

They further submit that the previous bail application of accused/ applicant was dismissed on 26.02.2026

and co-accused Aakash was already admitted to bail at that time.

In view of abovesaid, they request that the bail application should be dismissed”.

Submissions considered. Record perused.

As per the facts of the case, 21.3 gram Heroin was recovered from the possession of applicant/accused. Though, commercial quantity of Heroin was recovered from co-accused Aakash and Neha @ Moti during further investigation and their names were disclosed by the applicant/accused but as per record, the aforesaid both accused persons have already been admitted to bail due to some technical flaws in the investigation. Hence, considering the facts and circumstances of the case, the applicant/accused has succeeded in satisfying the twin conditions as provided u/s 37 NDPS Act. Therefore, applicant/ accused **Wilson Jacks** is also admitted to bail on furnishing personal bond in the sum of Rs. 50,000/- with one surety in the like amount and subject to condition that :-

- (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/25.03.2026