

Bail Application
FIR no. 255/2024
State Vs. Wilson Jacks
PS Civil Lines
U/s 21/29 NDPS Act & 78 JJ Act

31.07.2025

This the 4th bail application U/s 483 BNSS filed on behalf of applicant/accused Wilson Jacks for seeking regular bail.

Present: Sh. P.N. Singh, Ld. Addl. Substitute PP for State.
Mr. Pramod Kumar, Ld. Counsel for
applicant/accused alongwith Ms. Seema Jack i.e. the
mother of applicant/accused is present in person.
IO SI Nitin Sharma is absent, however, reply to bail
application is already filed.

Arguments heard.

Ld. Counsel for applicant/accused submits that the applicant/accused is falsely implicated in this case. The case property is planted upon him. He further submits that the co-accused namely Akash and Neha Moti have already been admitted to anticipatory bail. The grounds of arrests were not supplied to applicant/accused. He further submits that as per the case of prosecution, allegedly 21.3 gram heroin i.e. intermediate quantity has been recovered from the possession of applicant/accused, therefore, applicant/accused is entitled to bail on the ground of parity. He further submits that the investigation is already complete and the charge-sheet is already filed, therefore, the applicant/accused may be admitted to bail.

Per contra, Ld. Addl. PP for State and IO (by way of reply) have vehemently opposed the bail application stating that the commercial quantity was recovered from the possession of co-accused persons and there is link between the

applicant/accused and co-accused persons, therefore, the application should be dismissed.

Submissions considered. Record perused.

At the outset, without going into the merits of the case, it is observed that the grounds of arrest were not supplied to the applicant/ accused by the IO. Though, reasons of arrest were informed to him as mentioned on the backside of the arrest memo. Therefore, purely on technical grounds, applicant/ accused **Wilson Jacks** is admitted to **interim bail subject to outcome of Mihir Rajesh Shah Vs. State of Maharashtra, in SLP No. 17132/2024** on furnishing personal bond in a sum of Rs. 50,000/- with one surety in the like amount and subject to following conditions :-

- (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.

It is hereby clarified that if the Hon'ble Apex Court conclude that there is no requirement of supply grounds of arrest to the accused in all cases, then applicant/ accused shall surrender before the Court and he will be sent to JC. The bail application

will be decided after the disposal of the abovesaid SLP.

Copy of the order be given dasti to the learned counsel for applicant/ accused as well as IO concerned. Another copy be sent to the concerned Jail Superintendent for information.

**(Virender Singh)
Special Judge, NDPS-02,
Central,THC, Delhi/31.07.2025**