

SC No. 188/2020
FIR No. 365/20
PS Vasant Vihar
State Vs. Aboh Caminus Arinze
22.12.2020

ORDER

1 Vide this order, I shall dispose of the bail application of this accused Aboh Caminus Arinze.

2 Ld. counsel for accused submitted that there is only a recovery of 20 gm of smack from the present accused which falls in the intermediate quantity well below the threshold commercial quantity of 250 gms. The charges have already been made against accused. The trial is not likely to be concluded soon. Furthermore, applicant is in custody since 17.07.2020, therefore, he be released on bail.

3 Ld. Addl. PP opposed the bail on the ground that accused is foreign national without having any valid documents residing in India and charge u/s 14 Foreigner's Act is also made out against accused, and if he released on bail, he may abscond from trial.

3 Heard. There is only recovery of 20 gm of smack from present accused thus no embargo u/s 37 NDPS Act over release of accused on bail. The charges have already been framed. Merely the fact that accused is a foreigner, cannot be kept in custody for indefinite period of time as trial is not likely to be concluded soon. In these facts and circumstances, accused Aboh Caminus Arinze is admitted to bail on his furnishing personal bond in the sum of Rs. 40,000/- with one surety in the like amount to the satisfaction of this court. Accused Aboh Caminus Arinze is directed to report the IO/SHO of concerned PS Vasant Vihar on every alternate Monday after being released on bail. IO and Jail superintendent are directed to intimate the FRRO about this order.

4 It is clarified that in case the accused violates the condition, his bail is liable to be cancelled.

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- 5 Application is disposed of accordingly.
- 6 Copy of the order be given dasti as well as sent to accused Aboh Caminus Arinze in jail.
- 7 Copy of the order be uploaded on the website of New Delhi District.

(Ajay Kumar Jain)
Spl. Judge, NDPS/N. Delhi
22.12.2020