

IA No. 9/2026
SC No. 333/2025
State Vs. Raghuveer Roy @ Ravi
FIR No. 122/2025
PS: Crime Branch
U/s: 20(B)ii(C)/25/29 NDPS Act

18.05.2026

**ORDER ON APPLICATION FOR GRANT OF BAIL
FILED ON BEHALF OF THE APPLICANT/ACCUSED
RAGHUVEER ROY @ RAVI**

1. This order of mine shall dispose of an application u/s. 483 BNSS for bail filed on behalf of the applicant/accused Raghuveer Roy @ Ravi.
2. I have already heard the counsel for the applicant /accused and the Ld. Addl. Public Prosecutor for State.
3. Sh. I. P. Saini, Ld. Counsel for the applicant/accused Raghuveer Roy @ Ravi has submitted that the applicant/accused is quite innocent and was doing the business of fruits and vegetables and he has been falsely implicated in the present case. He is not even named in the present FIR. The applicant/accused was arrested in the present case on 08.10.2025 from Raja Mahendravaram Jail, on the basis of disclosure statement of co-accused persons, however, he is not concerned with the alleged offence, as, no recovery of any psychotropic substance was effected from or at the instance of the applicant/accused. Therefore, rigors of Sec. 37 of NDPS Act does not attract to the applicant/accused.

4. Ld. Counsel for the applicant/accused further submitted that in the present case, investigation qua the present applicant/accused is complete and the chargesheet against the present applicant/accused has already been filed. Ld. Counsel has also submitted that it may take long time in concluding the trial and no fruitful purpose would be served by keeping the applicant /accused behind bars any longer. The applicant/accused is ready to abide by all the conditions imposed by Hon'ble court, if released on bail and prayed that the applicant/accused may be released on bail in the present case. Ld. Counsel has also submitted that co-accused persons, namely, Vivek Jain, Praveen and Balkesh Nagiya @ Ballu were granted anticipatory bail by the Hon'ble High Court of Delhi.

5. In support of his contentions, Ld. Counsel for the applicant/accused referred the cases, **Tofan Singh v. State of Tamil Nadu, 2020 SCC OnLine SC 882; Phundreimayum Yas Khan v. State of NCT of Delhi, SCC OnLine Del 135; Vinay Dua v. State Govt. of NCT of Delhi, Bail Appln. 900/2025; Raj Kumar Agarwal v. State of NCT of delhi & Anr., Bail Appln. 982/2025 & CrI. M.A. 7569/2025; Amit Ranjan v. NCB, Delhi, Bail Appln. 1189/2020; Rajat Gupta v. State of NCT of Delhi, Bail Appln. 3789/2023; Kingsley Ofobike v NCB, Bail Appln. 2468/2022; Khairul SK v. State of West Bengal, SLP (CrI.) No. 13282/2023; Mumtaz v. State (NCT of Delhi) & Anr., Bail Appln. 3165/2022; Vihaan Kumar v. State of Haryana & Anr., SLP (CrI.) No. 13320/2024; Prabhakar Tewari v. State of U.P. & Anr., CrI. Appeal no. 152 of 2020; Ajay Kumar Gupta v. Union**

of India, CrI. Appeal No. 878/2019; Shyam Gupta & Ors. v. State, CrI. Rev. Pet. No. 421/2019 and Mamta Sapra v. State Govt. of NCT of Delhi, CrI. Rev. Pet. No. 294/2023. Ld. Counsel also relied upon the judgment, Ashok Kumar v. State Govt. of NCT of Delhi, Bail Appln. 2962/2025 dated 21.11.2025.

6. On the other hand, Ld. Additional Public Prosecutor for the State has opposed the present application and submitted that in the present case, recovery of 348.176 kg Ganja has been effected from the co-accused persons namely Intezar and Rizwan and the recovered contraband was sent by the present applicant /accused and the same was destined to be supplied to co-accused persons namely Mohsin Malik and Vivek Jain. He has also submitted that the present applicant/accused has committed the offence u/s. 20(b)ii(C)/25/29 NDPS Act alongwith the co-accused persons and the offence committed by the applicant /accused is serious in nature, so, he does not deserve the concession of bail and prayed for dismissal of the present application under consideration.

7. In his reply, IO submitted that in the present case, commercial quantity of contraband i.e. 348.176 kgs Ganja has been recovered from the accused persons. There is proper connectivity of the present applicant/accused with co-accused persons, namely, Intezar, Rizwan, Mohsin Malik and Laba Khara. The investigation has clearly established the active participation of the applicant/accused through money transfers, financing, arranging transport and the truck, and also there is call recording recovered during investigation, in which the present

applicant/accused can be heard extending threats to the wife of co-accused Intezar Malik. The present applicant/accused is also having antecedents in about nine more cases of similar nature under the NDPS Act.

8. I have given thoughtful consideration to the submissions made by counsel for this applicant/accused and Ld. Addl. PP for State and perused the record.

9. Perusal of the record shows that the applicant /accused was arrested in the present case on 08.10.2025, as, allegedly commercial quantity of Ganja i.e. 348.176 kg of Ganja has been recovered from the co-accused persons.

10. No doubt, the disclosure statements of co-accused persons are not per se admissible, as a strong piece of evidence, but, in the present case, it is not that the present applicant /accused Raghuvver Roy @ Ravi has been chargesheeted only on the basis of the disclosure statements of the co-accused persons. The prosecution has relied upon the transcript of phone conversation between Raghuvver Roy @ Ravi and wife of the accused Intezar Malik recovered from the mobile phone of accused Mohsin Malik, which is dated 21.05.2025. The said conversation appears to be quite relevant so far as present case is concerned. No doubt, in the said conversation, there is nothing specific about Ganja, but the context of the conversation clearly shows that the two persons were talking about some vehicle, which was not traceable. Admittedly, at that time, the said vehicle (truck) was already seized by the raiding team.

11. In the present case, there is enough material on

record against the present applicant/accused not only in the form of transcripts of conversation on phone, but also the fact that he was in regular contact with other accused persons right from procurement and transportation of the alleged contrabands till they were seized by the raiding team. Moreover, there are financial transactions between the present applicant/accused and other accused persons. There is evidence on record to show that the movement of the said truck was regularly tracked by the accused Raghuveer Roy and the location of the truck as well as location of accused Intezar Malik on 18.05.2025 i.e. on the day when they started from Rajamundry was at the spot near the house of accused Raghuveer Roy. Thus, there is ample evidence on record prima facie showing involvement of the present applicant/accused in commission of the alleged offence.

12. The Hon'ble Supreme Court of India in "**Union of India v. Ram Samujh and Anr. Appeal (Crl.)866 of 1999**" while dealing with bail matter relating to the commercial quantity of contraband was pleased to observe as under:-

To check the menace of dangerous drugs flooding the market, the Parliament has provided that the person accused of offences under the NDPS Act should not be released on bail during trial unless mandatory conditions provided in Section 37, namely,

(i) there are reasonable grounds for believing that accused is not guilty of such offence; and
(ii) that he is not likely to commit any offence while on bail, are satisfied. The High Court has not given any justifiable reason for not abiding by the aforesaid mandate while ordering the release of the respondent accused on bail. Instead of attempting to take a holistic view of

the harmful socio-economic consequences and health hazards which would accompany trafficking illegally in the dangerous drugs, the Court should implement the law in the spirit with which the Parliament, after due deliberation, has amended.

In the result, appeal is allowed. The impugned Order dated 20 August, 1998 passed by the High Court of Judicature at Allahabad, Lucknow Bench, releasing respondent No. 1, Ram Samujh is quashed and set aside. Respondent No. 1 is directed to surrender.

13. In **Kalyan Chandra Sarkar v. Rajesh Ranjan, (2004) 7 SCC 528**, wherein, the Hon'ble Supreme Court held that:

"11. The law in regard to grant or refusal of bail is very well settled. The Court granting bail should exercise its discretion in a judicious manner and not as a matter of course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the Court granting bail to consider among other circumstances, the following factors also before granting bail; they are: (a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence. (b) Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant. (c) Prima facie satisfaction of the Court in support of the charge. (See Ram Govind Upadhyay v. Sudarshan Singh..."

(Emphasis supplied)

14. Admittedly, in the present case, 348.176 kg of Ganja was recovered from possession of co-accused persons namely Intezar Malik and Rizwan, which was sent by the applicant /accused and which was to be supplied to co-accused Mohsin Malik and Vivek Jain. The alleged contraband recovered in the present case is of commercial quantity and chargesheet qua accused Intezar Malik and Rizwan has already been filed. The present applicant was arrested on 08.10.2025. No doubt, there is no recovery of any contraband from the possession of the applicant/accused, but the applicant/accused is being impleaded u/s. 29 of the NDPS Act, which provides for equal punishment. To add to it, the present applicant/accused has been found involved in 9 other cases of similar nature under the NDPS Act only.

15. There is no dispute about the law laid down in the judgments being relied upon by the Ld. Counsel for the applicant /accused, but the same do not apply to the facts of the present case qua the present applicant/accused.

16. So, taking into consideration the fact that in the present case, the applicant/accused, having been arrested on 08.10.2025 for committing offences punishable under Sections 20(b)(ii)(C)/25/29 NDPS Act, involving recovery of commercial quantity of contraband ganja, therefore, the present applicant /accused is not entitled for regular bail.

17. In the above terms, the application for grant of regular bail filed on behalf of the applicant/accused Raghuveer Roy @ Ravi is **dismissed**.

18. Dasti copies of this order be provided to the parties.
19. Attested copy of this order be also sent to the Superintendent of Central Jail, Tihar for supplying the same to this applicant/accused.

(PUNEET PAHWA)
**Special Judge (NDPS)/Addl. Sessions Judge/
North East/KKD Courts/Delhi/18.05.2026**