

IA No. 2/2025
SC No. 165/2025
State Vs. Talib
FIR No. 235/2025
PS: New Usmanpur
U/s: 20/25 NDPS Act

21.08.2025

**ORDER ON APPLICATION FOR GRANT OF BAIL FILED
ON BEHALF OF THE APPLICANT/ACCUSED TALIB**

1. This order of mine shall dispose of an application for bail filed by this applicant/accused Talib.
2. I have heard the counsel for the applicant/accused and the Ld. Addl. Public Prosecutor for State.
3. Ld. Counsel for the applicant/accused Talib submitted that the applicant/accused was arrested in the present false case on 07.04.2025 and since then he is in judicial custody and submitted that the applicant/accused is an innocent person and he has nothing to do with the alleged offence and he has been falsely implicated in the present case and submitted that the investigation of the case is complete and chargesheet has already been filed, therefore, no useful purpose will be served by keeping the applicant behind the bars and also submitted that the trial of the present case is likely to take long time and the applicant /accused undertakes that he will abide the terms and conditions of the bail, if so granted to him and prayed for grant of bail to the applicant/accused in the present case.
4. On the other hand, Sh. F. M. Ansari, Ld. Addl. PP for the State vehemently opposed the present application for

grant of bail and submitted that in the present case, 9.950 kg Ganja was recovered from the accused persons and submitted that the present applicant/accused has committed the heinous offence u/s. 20/29 NPDS Act alongwith the co-accused person and in case, this applicant/accused is granted bail at this stage, he may hamper with the witnesses and tamper with the evidence and he may also flee away from justice, so, he does not deserve the concession of bail and prayed for dismissal of the present application.

5. In his reply, IO has submitted that charges against the applicant/accused are serious in nature and if bail is granted to the applicant/accused, he may involve in such type of heinous offence in future and may jump the bail.

6. I have given thoughtful consideration to the submissions made by the Ld. Counsels for the parties and perused the record.

7. Perusal of the record shows that in the case in hand, the applicant/accused is alleged to have possessed 9.950 kg Ganja and the quantity recovered in the present case falls within the category of intermediate quantity. In the present case, investigation is complete and chargesheet has already been filed, however, FSL result has not been received in the present case, which may further delay in framing of charge as well as the trial. In the case in hand, the prosecution has cited total 19 witnesses and case is at the stage of consideration on charge. It appears that it may take considerable time in filing of the FSL result, framing of charge and concluding the trial. The other co-accused is

already on bail.

8. Considering the overall facts and circumstances of the present case and the fact that FSL result has not been received in the present case, trial is not likely to be concluded soon, the prosecution has cited total 19 witnesses and case is at the stage of consideration on charge, this applicant/accused Talib is ordered to be released on bail on furnishing personal bond in the sum of Rs.25,000/- with one surety of like amount and also subject to the following conditions:

- (1). He will not come in contact with the complainant or any of the witnesses of the prosecution.
- (2). He will not tamper with the evidence of the prosecution.
- (3). He will not indulge in any other criminal activity of similar nature in future.
- (4). He will not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or the IO.
- (5). He will appear on each and every date of hearing, without fail.

9. In case, if he violates any of the above conditions, the prosecution will be at liberty to file application for cancellation of bail of this accused.

10. In the abovesaid terms, the application for grant of bail filed on behalf of the applicant/accused Talib stands **allowed**. Dasti copies of this order be provided to the parties.
11. Attested copy of this order be sent to the Superintendent of Central Jail concerned for supplying the same to this applicant/accused.

(PUNEET PAHWA)
**Special Judge (NDPS)/Addl. Sessions Judge/
North East/KKD Courts/Delhi/21.08.2025**