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Bail Matters 403/2026

STATE Vs. RAJAN KUMAR

FIR No. 25/2026

PS (Sultan Puri)

06.04.2026

Present : Sh. K D Pachauri, Ld. Addl. PP for the State.

Sh. Ritesh Ranjan, Ld. Counsel for applicant/accused.

IO in person.

1. This is an application under Section 483 BNSS for grant of regular bail, moved on behalf of applicant Rajan Kumar.

2. It is submitted by ld. Counsel for applicant/accused that applicant/accused had been in JC since 13.02.2026. It is further submitted that applicant is 24 years of aged and has been falsely implicated in the present case. It is submitted that applicant does not know about any of the co-accused except Ansu and Vikash and as per polic officials, applicant has been arrested on the basis of disclosure statement of co-accused Anshu @ Bikash applicant only came to attend his regular date on 11.02.2026 in KKD Court and is not so educated as he is from unprivileged background and has lack of awareness and knowledge about narcotics substance and there is no eye witness or independent witness in this case.

3. Ld. counsel for the applicant has placed on record few judgments to prove his case:-

- (a). State Vs. Ravi Kumar Toni, CrI. L.P 340/2019 decided by Hon'ble High Court on 26.11.2025
- (b). Mihir Rajesh Shah Vs. State of Maharashtra (2025) of Supreme Court
- (c). Tofan Singh Vs. State of Tamil Nadu, (2021) 4 SCC 1 decided on 29th October, 2020
- (d). Arnesh Kumar Vs. State of Bihar

4. On the other hand, ld. Addl. PP has opposed the application stating that allegations are very serious. It is submitted that FSL mobile team was called at the spot and upon checking 10.3 kg of ganja was recovered from the accused. It is submitted that accused has been arrested on the basis of disclosure statement of co-accused Bikash and Anshu and accused has been involved in similar offence earlier also. It is further submitted that applicant/accused may commit the same offence again, if released on bail.

5. Heard. Perused.

6. Considering the fact that there is no recovery from the present applicant and also taking note of the fact that his name has only come up on disclosure statement of co-accused persons, also considering the fact that merely CDR connectivity cannot be given much importance in the absence of substantive material & also taking note of the fact that statement u/s 161 Cr. p.c of landlord where applicant allegedly resided does not specify the material with which the accused was dealing with, the applicant is entitled to bail as prima facie section 37 NDPS Act is not made out against him. Therefore, the application is allowed.

applicant/accused is admitted to bail on furnishing personal bond in sum of Rs. 15,000/- with one surety of the like amount subject to the conditions that:

(a) Applicant/accused shall not commit the same offence again & must not threaten the witnesses;

(b) Applicant/accused shall provide his fresh address by way of an affidavit in the Court after his release and in case of any change in his address shall inform the Court;

(c) Applicant/accused shall appear on each and every date of hearing before the Court.

7. Application stands disposed off. Copy dasti. Copy of this order be also sent to Jail Superintendent.

(SHIVAJI ANAND)
ASJ-II/SPECIAL JUDGE NDPS/
NORTH-WEST/ROHINI COURTS/
DELHI/06.04.2026