

**Bail Application
State Vs. Brijpal
FIR no. 1101/2025
PS Burari, U/s 20/25/29 NDPS Act**

09.03.2026

This is an application U/s 483 BNSS, 2023 seeking grant of regular bail to the applicant/ accused.

Present: Sh. K.P. Singh, Ld. Addl. PP for State.
Mr. S.A. Khan, Ld. Counsel for applicant/accused.
IO SI Rinku Bhakar in person.

Reply to the bail application is filed. Copy supplied.

Arguments heard.

Ld. Counsel for the applicant/ accused submits that the applicant/ accused has been falsely implicated in the present case and nothing has been recovered from the possession or at the instance of applicant/accused. He further submits that allegedly the applicant/accused had reached at the spot at the instruction of co-accused Rajesh to receive Ganja from accused Ram Kumar. He also argued that accused Rajesh is also already admitted to anticipatory bail. He further argued that co-accused Jitender @ Jitu, Arun and Sabita Devi @ Savita from whose possession intermediate quantity of Ganja were recovered are also already admitted to bail. He further submits that the applicant/accused is in JC since 02.12.2025 and the charge-sheet has already been filed. He further submits that the applicant/accused is not involved in any other case.

In view of the above said, he request to admit the applicant/accused on bail.

Per contra, Ld. Addl. PP for the state as well as IO have vehemently opposed the bail application arguing that on 25.11.2025 co-accused Jitender @ Jitu was arrested on secret

information and 6.132 Kg Ganja was recovered from his possession/ house. They further submit that Rs.102510/- also recovered from his house.

They further submit that thereafter at the disclosure statement of accused Jitender @ Jitu, co-accused Sabita Devi @ Savita was arrested and 1.542 Kg Ganja was recovered from her house. They further argued that the applicant/accused had reached the spot to receive Ganja from co-accused Ram Kumar. They further argued that 30.431 Kg Ganja was recovered from the possession of co-accused Ram Kumar at the same place where the applicant/accused had reached to receive Ganja. They further argued that the applicant/accused as well as co-accused Ram Kumar were in constant touch with accused Rajesh. According to them, the Ganja was brought to the place at the instructions of accused Rajesh and the applicant/accused reached the spot to receive the Ganja which is commercial in quantity.

They further argued that the applicant/accused was also instructed by accused Rajesh to receive Ganja from co-accused Arun. Thus according to them, there is connectivity between applicant/accused and other accused persons and commercial quantity of Ganja was recovered, therefore, Section 37 NDPS Act is applicable. They further submit that the applicant/accused is required to satisfy the twin conditions as provided U/s 37 NDPS Act but according to them he has filed.

They further submit that the source of recovered Ganja from possession of accused Ram Kumar i.e. co-accused Sajan is still absconding. They further submit that source of co-accused Sabita Devi @ Savita i.e. co-accused Anil is also

absconding. They further submit that further investigation qua aforesaid accused persons is still pending. Therefore, they request to dismiss the bail application.

Submissions considered. Record perused.

As per the facts of the case, on disclosure statement of co-accused Jitender @ Jitu, accused Ram Kumar was arrested and 30.431 Kg Ganja was recovered from his possession. At the same time, applicant/accused Brijpal was also present there to take delivery of aforesaid Ganja. The prosecution has taken the plea that at the relevant time, the accused Rajesh was in constant contact with accused Ram Kumar and Brijpal. According to prosecution, the applicant/accused had gone to the place of incident to take delivery of aforesaid Ganja. Thus, there is connectivity between applicant/accused and co-accused Ram Kumar and he was arrested from the same place as he reached the said place to receive the delivery. The charge-sheet has been filed inter alia for offence U/s 29 NDPS Act. Thus, the allegations against applicant/accused are serious in nature.

It is well settled that the nature and gravity of accusation, severity of the punishment, danger of the accused absconding, reasonable apprehension of the witnesses being influenced, prime facie case against the accused, danger to the society etc. are factors which have to be kept in mind while exercising powers for grant of bail. In my considered opinion and owing to the given facts and circumstances of the case, I am not inclined to grant bail to the applicant/ accused at this stage. The precedents relied upon by the learned counsel for applicant/ accused are respectfully differentiated and are of, therefore, no help to him. Accordingly, bail application of the applicant/

accused **Brijpal** stands **dismissed**.

The observations made on the merits of the case are purely for the purposes of deciding the present bail application and shall not be construed as expression upon the merits of the case.

Copy of the order be given dasti to the IO as well as to the Ld. Counsel for applicant/ accused and be communicated to the applicant/ accused through Jail Superintendent for information.

(Virender Singh)
Special Judge, NDPS,
Central,THC, Delhi/09.03.2026