

Bail Matters 876/2026
STATE Vs. RAVI SHUKLA
FIR No. 3/2024
PS- (Sun Light Colony)
u/s 20/29 of NDPS Act

13.05.2026

File taken up today on an application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023, filed on behalf of the applicant/accused Ravi Shukla for grant of regular bail.

Present: Sh. Yogendra Singh, Ld. Addl. PP for the State.
Sh. Shan-ul-Islam, Ld. Counsel for the
applicant/accused.

1. Vide this order, this Court shall adjudicate upon the regular bail application filed on behalf of the applicant/accused Ravi Shukla. Arguments were heard at length, the gist whereof is discussed hereunder.

2. Ld. Counsel for the applicant/accused submitted that the applicant/accused has been languishing in JC since 26.02.2026 and that he has been falsely implicated in the present matter as he has nothing to do with the alleged offences. Ld. Counsel further submitted that during the course of investigation of the present case, the name of the applicant/accused was surfaced only on the basis of disclosure statements and thereafter, he was arrested merely on the disclosure statement of co-accused which have no evidentiary value in the eyes of law unless corroborated by the independent evidence. He further submitted that the law with regard to the disclosure statement not being admissible is well settled. Ld. Counsel further submitted that

nothing incriminating has been recovered either from the possession of the applicant/accused or at his instance. Ld. Counsel further submitted that the applicant/accused was declared PO vide order dated 18.12.2025, however, the same was not intentional and was due to circumstances beyond his control. Ld. Counsel further submitted that in the present case, co-accused persons namely Surojit Bapri and Kanan Shukla have already been granted bail by this court and therefore, the present applicant/accused may also be granted bail. Ld. Counsel further submitted that the applicant/accused has one previous involvement in another NDPS case, but he has already been acquitted in the said case on 22.11.2014. Ld. Counsel further submitted that investigation in the present matter has been completed and chargesheet has already been filed and therefore, no fruitful purpose would be served by keeping the applicant/accused behind the bars. Ld. Counsel thus submitted that accused ought to be granted bail and he is ready to abide by all the terms and conditions imposed upon him while granting the bail.

3. *Per contra* Ld. Addl. PP for the State vehemently opposed the bail application citing the gravity of the offence as one of the main grounds. Ld. Addl. PP further submitted that the applicant/accused was declared a PO which clearly reflects his intention to evade the process of law and disentitles him from the discretionary relief of bail. Ld. Addl. PP further submitted that despite dismissal of his anticipatory bail application, the applicant/accused earlier deliberately absconded and avoided

joining the investigation for a considerable period. Ld. Addl. PP submitted that applicant/accused played an active and vital role in the offence by arranging and providing the premises for storage of huge quantity of the contraband. Ld. Addl. PP further submitted that in the present matter, commercial quantity of the contraband has been recovered. Ld. Addl. PP further submitted that the applicant/accused has been previously found involved in another NDPS case and therefore, there is strong possibility that he may again indulge in similar kind of activity, if granted bail by this court. Ld. Addl. PP also submitted that the charges are yet to be framed and prosecution witnesses are yet to be examined. Thus, the applicant/accused ought not to be granted bail.

4. I have heard the arguments addressed by the opposite parties and perused the record.

5. It is settled law that the Court, while considering the application for grant of bail, has to keep certain factors in mind, such as, whether there is a *prima facie* case or reasonable ground to believe that the accused has committed the offence; circumstances which are peculiar to the accused; likelihood of the offence being repeated; the nature and gravity of the accusation; severity of the punishment, the danger of the accused absconding or fleeing if released on bail; reasonable apprehension of the witnesses being threatened; etc.

6. During the course of arguments, it was brought to the fore that the recovery in the present matter pertains to commercial quantity of contraband and therefore, the limitations imposed under Section 37 of the NDPS Act are required to be

satisfied before grant of bail. The Court must record satisfaction that there are reasonable grounds for believing that the accused is not guilty of the alleged offence and that he is not likely to commit any offence while on bail.

7. In the present case, though admittedly no recovery has been effected from the personal possession of the applicant, the material collected during investigation prima facie indicates that the premises from where recovery of commercial quantity of contraband was effected had been taken on rent in the name of the applicant/accused. The lease documents allegedly stand in the name of the applicant/accused. The prosecution has also recorded statement of the owner of the property in this regard. At this stage, such circumstance cannot be lightly brushed aside. Prima facie dominion and control over the premises from where contraband is recovered constitutes a significant incriminating circumstance. The fact that the premises stood rented in the name of the applicant prima facie sufficient at the stage of the bail to infer his involvement in the present case. The contention that the applicant/accused has been implicated only on the basis of disclosure statements is not entirely correct in view of the material regarding tenancy of the premises in the name of the applicant/accused. The case of the applicant therefore stands on a different footing from those of the co-accused whose implication is allegedly based solely upon the disclosure statements.

8. The plea of parity raised by learned counsel for the applicant also does not persuade this Court. Parity is not to be applied mechanically. The role attributed to the present applicant

is distinguishable inasmuch as the premises used for storage of contraband was allegedly under his tenancy and control. The co-accused who have been granted bail cannot therefore be treated as identically situated.

10. Investigation is still in progress and co-accused Naresh Kumar, a police official allegedly involved in the matter is yet to be apprehended.

11. At this stage, this Court is not inclined to record satisfaction that there exist reasonable grounds for believing that the applicant is not guilty of the alleged offence.

12. The Hon'ble Supreme Court in time and again in catena of judgments has held that the expression "reasonable grounds" under Section 37 NDPS Act contemplates substantial probable causes for believing that the accused is not guilty and the satisfaction contemplated under the provision is in addition to the normal considerations governing bail.

13. Similarly, in **Narcotics Control Bureau v. Mohit Aggarwal**, the Hon'ble Supreme Court reiterated that in cases involving commercial quantity, liberal approach in the matter of bail is not warranted where material on record prima facie indicates involvement of the accused.

14. Considering the nature and gravity of allegations, the quantity of contraband recovered in the present case, the prima facie connection of the applicant with the premises from where recovery was effected, and the rigours of Section 37 NDPS Act, and also the fact that earlier the applicant/accused was declared PO as he was evading the process of law, I do not

find any ground for grant of bail at this stage, accordingly, I am of the opinion that bail ought not to be granted to the accused Ravi Shukla at this juncture. Accordingly, the present bail application is hereby dismissed.

15. Needless to say, the abovementioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have no bearing on the merits of the case. With these conditions, and observations, the regular bail application stands disposed of.

16. In compliance of **Sanjay Singh Vs. State (Govt of N.C.T of Delhi) Writ Petition Criminal 974/2022**, copy of this order be sent to concerned Jail Superintendent to convey the order to inmate.

17. Copy of the order be given dasti.

(HONEY)
ASJ-04 + Spl. Judge (NDPS),
South East District, Saket Court,
New Delhi /13.05.2026