

SC 200/2025
STATE Vs. ANIL KUMAR @ MONU & ORS.
FIR no.221/2025
PS NIHAL VIHAR

26.05.2025

Pr: Sh. Subhash Chauhan, Ld. Addl. PP for the State.
Ms. Ranjana, Ld. Counsel for the applicant/accused.

File perused. Heard.

File taken up on an application u/s 483 of BNSS filed on behalf of the applicant/accused Anil Kumar @ Monu for grant of bail. Reply filed on behalf of the IO. Copy supplied. Arguments heard. Clarifications sought.

It is submitted by Ld. Counsel that applicant/accused is innocent and has nothing to do with the alleged offence. It is further submitted that the applicant/accused has no nexus for the commission of alleged offence and has been falsely implicated in the present case. It is further submitted that the accused was arrested on 09.03.2025 and since then he is in JC. It is further submitted that the investigation has already been completed and chargesheet has already been filed in the present case. It is further submitted that the alleged recovery in the present case is of intermediate quantity, therefore, there is no bar u/s 37 of the NDPS Act. It is further submitted that co-accused has already been granted bail and with these submissions, prayer is made for grant of regular bail on the ground of parity.

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On the other hand, Ld. Additional PP for the state has strongly opposed the present bail application of the accused on the ground that the allegations against the accused are serious in nature and the possibility of tempering of evidence and influencing of witness and fleeing away from the justice cannot be ruled out in case applicant/accused is admitted on bail. Ld. Addl. P.P has prayed for the dismissal of the present bail application of the accused.

The alleged recovery from the applicant/accused is stated to be of 19.50 grams of Amphetamine, which is of intermediate quantity. Considering the fact that the amount of contraband received from the possession of the accused persons is of intermediate quantity, therefore, bar u/s 37 of NDPS is not made out in the present case. Chargesheet has already been filed in the present case. All the witnesses in the present case are police/govt. officials. Applicant/accused is in JC since 09.03.2025. Co-accused is already on bail. The conclusion of trial shall take more considerable time. Accordingly, without reflecting much on the merits of the case, at this stage and keeping in view the totality of facts and circumstances of this case, the applicant/accused is admitted to bail upon furnishing of personal bond in sum of ₹30,000/- with one surety of the like amount and subject to the following conditions :

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- i) the accused will not jump the bail and will appear in the court regularly.
- ii) That accused shall not indulge into similar offence or any other offence in the event of release on bail.
- iii) That accused shall not tamper/influence any evidence/witness in any manner.
- iv) That in case of change of residential address, accused shall intimate the court about the same within a week.
- v) That accused shall not leave the country without permission of Court.

The bail bond/surety bond will be accepted only after the address verification of the accused & soundness of the surety.

Nothing stated hereinabove shall tantamount to be an expression of final opinion on the merits of the case. With above observations, application stands disposed off accordingly.

Copy of the order be given dasti, as prayed for.

Copy of the order be also sent to the concerned Jail Superintendent.

**(SATVIR SINGH LAMBA)
ASJ/ SPECIAL JUDGE (NDPS),
WEST DISTRICT, DELHI/26.05.2025**