

**SC 250/2025**  
**STATE Vs. MUNIP MAHTO AND ANR**  
**FIR no.246/2024**  
**PS Crime Branch-West Delhi**

**03.07.2025**

Pr: Ld. Substituted Addl. PP for the State.  
None for the applicant/accused.

File perused. Heard.

This is an application u/s 483 of BNSS filed on behalf of the applicant/accused Baljeet Kumar for grant of bail.

Arguments have already been heard. No clarifications are required. Record gone through.

It is submitted by Ld. Counsel that accused/applicant is innocent and he has been falsely implicated in the present case. It is further submitted that there is no legal evidence against the applicant/accused to connect him with the alleged offence. It is further submitted that applicant/accused was not in conscious possession of the alleged contraband and he was not aware about the contents of the parcel. It is contended that applicant/accused merely accompanying the co-accused Munip Mahto. It is further submitted that in the present case there is no public witness, though the alleged recovery was made from highly populated area. It is further submitted that the applicant was arrested on 02.12.2024 and since then he is in JC. It is further submitted that

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the investigation of the case has already been completed and the applicant/accused is no more required for further investigation in the present case. It is further submitted that the conclusion of trial of the case will take long time. It is further submitted that the applicant is having clean antecedents and no other case is pending against him. With these submissions, prayer is made for grant of regular bail.

On the other hand, Ld. Addl. PP for the state has strongly opposed the present bail application of the applicant/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. PP further submits that contraband recovered from the applicant/accused is of commercial quantity, therefore, bar u/s 37 NDPS Act is also attracted and prays for dismissal of the present application.

In the present case, chargesheet has been filed u/s 20/29 NDPS Act. In the present case contraband of the commercial quantity i.e. 58.520 of Ganja (Cannabis) was recovered from the possession of the accused persons. Admittedly, the recovered contraband in the present case is of commercial quantity and the bar u/s 37 of NDPS Act is applicable in the present case.

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Allegations against the accused are serious in nature. Moreover, there are apprehensions that in case applicant/accused is enlarged on bail, there are every chances of his fleeing from course of justice, tamper evidence or may coerce/influence witnesses of the case. Hence, considering the facts of the case and seriousness of the allegations against the applicant/accused, no ground is made out for grant of regular bail to the accused, at this stage. Hence, the present application is dismissed.

Nothing discussed herein-above shall have any bearing upon the merits of the case.

Copy of the order be given dasti, as prayed for. Copy of the order be also sent to the concerned Jail Superintendent for information.

**(SATVIR SINGH LAMBA)**  
**ASJ/SPECIAL JUDGE (NDPS),**  
**WEST DISTRICT, DELHI/03.07.2025**