

SC no. 250/2025
STATE Vs. Mukesh Kumar
FIR no. 246/2024
PS Crime Branch West

07.04.2026

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

File perused. Heard.

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

Reply has already been filed. Copy already supplied. Arguments heard. Clarifications sought. Record gone through.

It is submitted by Ld. Counsel that accused/applicant is innocent and has been falsely implicated in the present case. It is further submitted that the applicant/accused has no hand in the commission of the offence. It is further submitted that the applicant/accused has been implicated only on the basis of disclosure statement of the co-accused person. It is further submitted that the chargesheet qua the co-accused persons has already been filed in the present case. It is further submitted that the police has not filed any transcription of conversation between the applicant and co-accused. It is further submitted that even during PC remand of the accused, nothing incriminating has been found from the possession of the accused or at his instance. It is

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further submitted that there is no legally admissible evidence to connect the applicant with the alleged offence. It is further submitted that all the witnesses in the present case are police officials, so there is no apprehension of tempering of prosecution evidence by the applicant/accused. With these submissions, prayer is made for grant of regular bail on ground of parity.

On the other hand, Ld. Chief PP for the state has strongly opposed the present bail application of the applicant/accused on the ground that the applicant/accused is the main source of the alleged contraband recovered in the present case as he had sent the alleged parcel through courier from Vishakhapatnam, Andhra Pradesh. Ld. Chief PP further submits that contraband recovered in the present case is of commercial quantity, therefore, bar u/s 37 NDPS Act is also attracted. Ld. Chief PP further submits that the allegations against the accused are serious in nature and the possibility of tempering of evidence, influencing of witness & fleeing away from the justice cannot be ruled out in case applicant/accused is admitted on bail. Ld. Chief PP prays for dismissal of the present application.

Brief facts of the case are that on 01.12.2024 a secret information was received that some persons involved in supply of Ganja through courier from Vishakhapatnam had ordered ganja through DTDC Company, which has been delivered vide tracking ID no. D33126877 in the name of one Bishambar Ram

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at DTDC Meera Bagh, Delhi. Upon compliance of due procedure, police party reached at the courier office and it was affirmed that two parcels had been received from Vishakhapatnam for the proposed delivery to Bishamber Ram at Vikas Nagar, Balaji Chowk, near Rajdhani School, Mohan Garden, Uttam Nagar, Delhi and the mobile number of the receiver was also mentioned as 8.....872.

Thereafter, two employees of DTDC Company namely Sourabh and Deepak were deputed to deliver the abovesaid consignment to the proposed receiver and Sourabh made a call on the abovesaid mobile number mentioned on the parcel, but the said person stated that he is out of Delhi and asked to deliver the said parcel to his associate at Tyagi Barat Ghar, Tyagi Market, near Bala Ji Chowk, Mohan Garden, Uttam Nagar, Delhi. After sometime two persons came there on a scooty and showed Aadhar Card of Vishambher Ram to the delivery boys and received the parcels against DRS receipt. The raiding party of police apprehended both the said persons, who identified themselves as Munip Mehto and Baljeet Kumar. Both the accused persons were arrested. As per their disclosure statement, they confirmed that the abovesaid consignment of ganja was sent by one Munna R/o Patna, Bihar from Vishakhapatnam through courier and the said Munna is the kingpin of the entire drugs syndicate and uses the other persons to operate the syndicate.

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It is alleged that on 28.02.2023, co-accused Gagan Gourav @ Munna surrendered himself before the court and in his disclosure statement disclosed that he can assist in the apprehension of source of contraband namely Mukesh Kumar (applicant/accused). The allegations against the accused/applicant are that he had arranged the contraband at Vishakhapatnam. During further investigation, it is revealed that the alleged Ganja was booked by using the mobile number 970...693 with the owner of the parcel agency namely D Mahalaxmi. It is alleged that the applicant/accused was using the said mobile number and had send the parcel at the booking agency for which he had also made the payment of Rs.16,400/- through local Citizen Service Centre. Further upon analysis of the CDR of the abovesaid mobile number, one another suspected number 990....665 was traced and the said number was found registered in the name of applicant/accused. During further investigation, applicant/accused was found in judicial custody in another case in Central Jail Vishkhapatnam in FIR no. 306/35 u/s 20 NDPS Act PS II Town, Vishakhapatnam Andhra Pradesh. Thereafter the accused/applicant was arrested in the present case on 07.11.2025. It is relevant to mention here that during the course of investigation the accused/applicant was correctly identified by owner of the alleged parcel agency namely D. Mahalaxmi as the person who booked the parcel.

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Investigation qua the accused/ applicant is still going on and final report is yet to be filed. The applicant/accused is also involved in three other criminal cases pertaining to NDPS Act. Previous bail application of the applicant was dismissed vide order dated 20.01.2026 with detailed order. There is no change in the facts and circumstance of the case, after the dismissal of the earlier bail application. Allegations against the accused are serious in nature. Further, the possibility cannot be denied that the applicant/ accused may flee or may commit similar offence again, if admitted to bail. Considering the matter in totality, the facts and circumstances of this case, gravity of offence, the nature of serious allegations leveled against the applicant, this Court is not inclined to allow this application of the applicant/accused, at this stage. Accordingly, the present bail application stands dismissed.

Nothing stated hereinabove shall tantamount to any expression of opinion on the merits of the case.

A copy of this 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/07.04.2026