

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

**02.06.2026**

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 Baljeet Kumar for grant of bail.

Arguments have already been heard. No clarification is 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 and he is in JC since 02.12.2024. It is further submitted that co-accused Gagan Gaurav @ Munna, whose mobile number was mentioned on the alleged parcel has already been granted bail by Hon'ble High Court. It is further submitted that the applicant/accused had no knowledge about the parcel. It is further submitted that co-accused Munip Mahto was driving the scooty and the applicant/accused was only a pillion rider. It is further submitted that all other accused persons are already on bail. It is further submitted that the there are discrepancies in the weight of recovered ganja in the seizure memo. It is further submitted that neither the name of the accused has been mentioned as a sender

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nor receiver nor the mobile number of the accused has been mentioned at the said parcel. It is further submitted that there is non-compliance of the provisions of section 42 of NDPS Act. It is further submitted that the place of alleged recovery is much populated, however, no independent witness was joined the recovery proceedings. It is further submitted that nothing was recovered from the possession of accused/applicant and the alleged recovery is planted one. It is further submitted that the applicant/accused was granted interim bail two times and he surrendered himself within the stipulated period. 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.

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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 was delivered vide tracking ID no. D33126877 in the name of one Bishambar Ram at DTDC Meera Bagh, Delhi. Upon compliance of due procedure, police party reached at the courier office, where it was affirmed that two parcels had been received from Vishakhapatnam for the 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 above said 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 (applicant/

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accused). Both the accused persons were apprehended and 58.52 Kg Ganja was recovered. During further investigation, it is revealed that the abovesaid consignment of ganja was sent by one Munna R/o Patna, Bihar from Vishakhapatnam through courier in the name of Vishambhar Ram and the said Munna had also sent one aadhar card in the name of Vishambhar Ram, having photograph of applicant/accused.

In the present case contraband of the commercial quantity i.e. 58.520 of Ganja (Cannabis) was recovered. 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. In the present case, accused is facing trial for the offence u/s 20(b)(ii)(C) of NDPS Act. The applicant/accused was apprehended at the spot when he came there to take the delivery of the illegal contraband. It is relevant to mention here that the fake aadhar, which was used in the present case for taking the delivery of the consignment was having the photograph of the applicant. The applicant/accused is also previous convicted in a case u/s 302 IPC. It is relevant to mention here that the contention of ground of parity of the applicant with co-accused persons is not tenable as the role and allegations against the said accused persons are different and distinct. Allegations against the accused are serious in nature. Moreso, there are

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apprehension 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/02.06.2026**