

**SC 545/2025**  
**STATE Vs. Riyaz Babu @ Babu Khan**  
**FIR no. 218/2025**  
**PS Crime Branch**

**18.12.2025**

Pr: Sh. Subhash Chauhan, Ld. Chief PP for the State.  
Sh. R.K. Giri, Ld. Counsel for the applicant/accused  
IO/SI Amit Kumar in person

This is an application u/s 483 of BNSS filed on behalf of the applicant/accused Riyaz Babu @ Babu Khan for grant of bail.

Reply filed on behalf of the IO. Copy supplied. Arguments heard. Record gone through.

It is submitted by the Ld. Counsel that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that there is no legal evidence in this case against the applicant/accused, as he was arrested only on the basis of disclosure statement. It is further submitted that except the said disclosure there is nothing against the applicant/accused. It is further submitted that the accused/applicant was running in Judicial Custody in another FIR no. 421/2025 PS Katra in Shahjahanpur, District Jail since 02.10.2025 and his appearance was effected in the present case only upon the issuance of the production warrants. It is further submitted that nothing incriminating was recovered from the possession of the accused, despite of taking of 3 days PC remand of the accused. Ld. Counsel further submits that no recovery of contraband is

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effected from applicant/accused or at his instance. It is further submitted that the investigation has already been completed qua the applicant and is no more required for further investigation in the present case. With these submissions, prayer is made for grant on bail.

On the other hand, Ld. Chief 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. Chief PP has prayed for the dismissal of the present bail application of the accused.

Brief facts of the case are that on 18.08.2025, on a secret information co-accused persons namely Sahroj Khan and Mohd. Faisal @ Haider Ali were apprehended and 203 Grams of Smack/Heroin was recovered from the possession of accused Sahroj Khan. During investigation, co-accused persons have disclosed that out of the recovered contraband 100 grams of Smack/Heroin was supplied by applicant/accused on 18.08.2025 at Bareilly to one another person. Admittedly, the alleged contraband in the present case is recovered from co-accused Sahroj Khan. It is relevant to mention here that on the one hand investigating agency is claiming that accused/applicant is

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the source of the alleged offence. However, no contraband was recovered from the possession of accused/applicant or at his instance, after his arrest in the present case. Further, admittedly, there is no CDR connectivity of the accused/applicant with the co-accused persons. Admittedly, there is no financial link or connectivity of the accused/applicant with the co-accused persons in any manner. Admittedly, there is no whatsapp chats between the accused/applicant and other co-accused persons.

Further, the investigation qua the applicant/accused is almost completed. The chargesheet qua the main accused persons is already filed. The custody of applicant/accused is no more required for any other purpose. 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 same conditions :

1. That he shall join the investigation as and when directed by the IO/SHO concerned.
2. That the applicant shall provide his mobile number to the Investigating Officer and intimate about any change.
3. That the accused will not jump the bail and will appear in the court regularly.

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4. That accused shall not indulge into similar offence or any other offence in the event of release on bail.
5. That accused shall not tamper/influence any evidence/witness in any manner.
6. That in case of change of residential address, accused shall intimate the court about the same within a week.
7. That the applicant shall not leave the country without prior permission of the court.

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/18.12.2025**