

SC 660/2025
Bail Matters 2077/2025
STATE Vs. MANISH KUMAR GAUTAM
FIR no. 537/2025
PS Rajouri Garden

24.12.2025

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 BNSS for grant of regular bail filed on behalf of the applicant/accused Manish Kumar Gautam.

Arguments have already been heard. Clarifications already sought.

By way of present application, it is submitted by the Ld. Counsel that the applicant/ accused is innocent and has been falsely implicated in the present case. It is further submitted that the applicant has no role in the alleged offence. It is further submitted that nothing was recovered from the possession or at the instance of the accused and the alleged recovery is planted one. It is further submitted that no independent witness was joined in the investigation during the alleged recovery proceedings from the accused/applicant. It is further submitted that there is no videography or photography of the alleged recovery proceedings. It is further submitted that recovery from

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the accused is of intermediate quantity, hence, there is no bar u/s 37 of NDPS Act in the present case. It is further submitted that there is a delay in lodging the present FIR. With these submissions prayer is made for grant of bail.

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 allegations against the accused are serious in nature and the possibility of tempering of evidence and influencing of witnesses and fleeing away from the justice cannot be ruled out in case applicant/accused is admitted on bail. Ld. Chief PP further submits that the accused/applicant is having other criminal involvements and prays for the dismissal of the present bail application.

Brief facts of the case are that on 08.10.2025, the applicant/accused along with co-accused Suresh was apprehended on the basis of suspicion and 1.080 Kg of Ganja was recovered from applicant/accused & another 2.075 Kg of Ganja was recovered from the abovesaid co-accused Suresh. Thereupon, after due compliance the present case was registered. After the completion of investigation accused is chargesheeted for the offence u/s 20/29 NDPS Act. Admittedly, the accused/applicant is also involved in other criminal cases. The allegations against the accused/applicant are serious in nature. Therefore, considering the facts & circumstances of the case as well as

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keeping in view the nature & gravity of the allegation against the applicant/accused, this Court is not inclined to grant bail to the applicant/accused at this stage. Hence, the present application is dismissed.

Nothing stated here-in-above shall tantamount to any expression of opinion on 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/24.12.2025