

Bail Matters 2544/2025
STATE Vs. JHUNI JENA
FIR No. 251/2025
PS- (Sarita Vihar)
u/s 20/29 of NDPS Act

26.09.2025

File taken up today on an application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023, filed on behalf of the applicant/accused Jhuni Jena for grant of regular bail.

Present : Sh. S. K. Kain, Ld. Addl. PP for the State.
Sh. Shan-ul-Islam and Sh. Mohd. Kaif, Ld. Counsel
for the applicant/accused.

1. Vide this order, I shall adjudicate upon the regular bail application filed on behalf of the applicant/accused Jhuni Jena. Arguments were heard at length, the gist whereof is discussed hereunder.

2. Ld. Counsel for the applicant/accused submitted that the applicant/accused has been languishing in JC since 02.04.2025 i.e. for more than 5 months. Ld. Counsel further submitted that the applicant/accused has been falsely implicated in the present matter as she has nothing to do with the alleged offences. Ld. Counsel further submitted that the alleged recovery from the applicant/accused i.e. 5.110 kg of 'ganja' falls under intermediate quantity and the bar of Section 37 NDPS Act would not be applicable in the present case and also, the said alleged recovery was from vehicles/bags which were not under the exclusive control of the applicant/accused. Ld. Counsel further submitted that in the present case, co-accused Rubel Abbasi has

already been granted bail by this court on 08.09.2025. Ld. Counsel further submitted that the investigation in the present matter has been completed and chargesheet has already been filed and therefore, there is no apprehension of her tampering with the evidence or influencing witnesses and no fruitful purpose would be served by keeping the applicant/accused behind the bars. Ld. Counsel thus submitted that the applicant/accused ought to be granted bail and she is ready to abide by all the terms and conditions imposed upon her while granting the bail. In support of his submissions, Ld. Counsel placed reliance on the following judgments:

i). Mintu vs. The State NCT of Delhi & Anr. Bail Application No. 4196 of 2024 decided on 17.12.2024,

ii). Mohammad Aajad @ Aazad vs. The State (Govt. NCT of Delhi) Bail Application No. 2759 of 2025; and

iii). Abdul Malik Alias Parvez vs. State Govt of NCT of Delhi Bail Application No. 2465 of 2025.

3. *Per contra* Ld. Addl. PP for the State vehemently opposed the bail application citing the gravity of the offence as one of the main grounds. Ld. Addl. PP submitted that applicant/accused is a part of drug nexus which sell narcotics drugs and that the drug menace is affecting the entire society and especially it is targeting the younger generation and it affects the economy of the country and that illicit money is being used for drug trafficking which is a serious offence and the persons involved in the illicit drug trafficking are destroying the social fabric of society and leading youth to wrongful path. Ld. Addl.

PP further submitted that there is CDR connectivity of the applicant/accused herein with the co-accused as several calls were made between them. Ld. Addl. PP further submitted that the FSL result of the case is yet to be received and the charges are yet to be framed. Ld. Addl. PP also submitted that if the applicant/accused is granted bail, there is strong possibility that he may jump the bail and may flee from justice and thus, accused ought not to be granted bail.

4. I have heard the arguments addressed by the opposite parties and perused the record.

5. It is settled law that the Court, while considering the application for grant of bail, has to keep certain factors in mind, such as, whether there is a *prima facie* case or reasonable ground to believe that the accused has committed the offence; circumstances which are peculiar to the accused; likelihood of the offence being repeated; the nature and gravity of the accusation; severity of the punishment, the danger of the accused absconding or fleeing if released on bail; reasonable apprehension of the witnesses being threatened; etc.

6. During the course of arguments, it was brought to the fore that the applicant/accused is a close associate of the main accused Dilip Mokami and main source Rajat @ Ranjit and she was acting on co-accused Dilip's instructions and she delivered to the suppliers/carriers along with consignment of 'ganja. It was also brought to the notice of this court that the role of the co-accused Rubel Abbasi, who has been granted bail by this court, is different from the present applicant/accused as the recovery was

not effected from the possession of Rubel Abbasi, whereas the 5.110 kg of 'ganja' was recovered from the present applicant/accused. The total recovered quantity in the present case from the accused persons is commercial in nature i.e. 28.340 kg of 'ganja'. It has been reported that during the course of investigation, in order to establish the back chain of the ganja supply syndicate, 7 days PC remand of the applicant/accused was obtained and a raid was conducted in the area of Gajpati, Odisha to nab the supplier of 'ganja' namely Rajat @ Ranjit and his rental address got verified, however, he was found absconding soon after registration of the case and he used to send 'ganja' to Delhi on demand of co-accused Dilip. Further, it was alleged that the FSL result of the case is yet to be received and charges are yet to be framed.

7. In the aforementioned circumstances, taking into account the gravity of the offences, the role attributed to the accused herein, the fact that FSL result of the case is yet to be received and charges are yet to be framed, and further, the contraband recovered from accused persons in the matter is commercial in nature and applicant/accused was a part of drug nexus which are selling narcotic drugs, I am of the opinion that bail ought not to be granted to the accused Jhuni Jena at this juncture. Accordingly, the present bail application is hereby dismissed.

8. Needless to say, the above-mentioned observations are predicated solely on the facts as alleged, and brought forth at this juncture, and are not findings on merits, and would also have

no bearing on the merits of the case. With these conditions, and observations, the regular bail application stands disposed of.

9. In compliance of **Sanjay Singh Vs. State (Govt of N.C.T of Delhi) Writ Petition Criminal 974/2022**, copy of this order be sent to concerned Jail Superintendent to convey the order to inmate.

10. Copy of the order be given dasti.

(Dr. TARUN SAHRAWAT)
ASJ-04 + Spl. Judge (NDPS),
South East District, Saket Court,
New Delhi /26.09.2025