

Bail Matters 738/2026
STATE Vs. SURAJ PRASAD
FIR no. 38/2026
PS Crime Branch-West Delhi

15.05.2026

This is an application u/s 187 (2) of BNSS filed on behalf of the applicant/accused Suraj Prasad for grant of default bail.

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

File perused. Heard.

Reply already filed on behalf of the IO. Arguments heard.
Clarifications sought.

By way of the present application, 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 accused/applicant was arrested on 07.03.2025 and since then he is in JC. It is further submitted that the applicant/accused is having clean antecedents and is not involved in any other case. It is further submitted that the alleged recovery from the accused/applicant is of intermediate quantity and the chargesheet is not filed within stipulated period of sixty days. LD. Counsel further submits that there is no substantial or prima facie evidence, which supported the allegations against him as stated in the present case. With these submissions, prayer is made for grant of default bail.

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On the other hand, Ld. Chief P. P. for the state has strongly opposed the present bail application on the ground that commercial quantity of contraband has been recovered in the present case and the stipulated period for filing the chargesheet is 180 days. Ld. Chief P.P has prayed for the dismissal of the present bail application of the accused.

Brief facts of the case are that in the present case, on 05.03.2026 co-accused Rahul Kumar was apprehended and commercial quantity of contraband was recovered from his possession. Thereafter, another co-accused Mohd. Akram @ Rajesh was also apprehended and commercial quantity of contraband was recovered from his possession. Thereafter, during further investigation of present case, the name of the accused/applicant is revealed as source of the abovesaid contraband and further recovery of intermediate quantity of contraband was recovered from his possession. Applicant/accused is stated to be the main source of the contraband. Alleged recovery in the present case is stated to be of commercial quantity, hence, the stipulated period for filing of chargesheet for the recovery of commercial quantity is 180 days & is not the 60 days. Hence, no ground for the grant of default bail is made out. Accordingly, the present application is dismissed.

Nothing discussed herein-above shall have any bearing upon the merits of the case.

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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/15.05.2026