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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ BAIL APPLN. 2523/2024 and CRL.M.A. 21102/2024

ANOWER ALI

.....Petitioner

Through: Mr.Aditya Aggarwal, Ms.Manvi Gupta,
Ms.Pooja Roy and Ms.Shivani Sharma, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Laksh Khanna, APP for State with
SI Jitendra

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.10.2024

1. By way of present application, the petitioner/applicant seeks regular bail in FIR No.923/2023 registered under Sections 20(b)/29/61/85 of NDPS Act at P.S. Okhla Industrial Area, Delhi.
2. Learned counsel for the applicant submits that the applicant is in custody since 27.04.2024 and though the case is of seizure of commercial quantity of *ganja* from *Mohd. Qutub* and *Mohd. Rafiq*, no recovery has been effected at the instance of the present applicant. It is further submitted that the applicant was only an auto driver and was not aware of the goods being transported. Lastly, it is submitted that the applicant has no previous involvements.
3. Learned APP for the State has opposed the present bail application. He submits that as per the case of the prosecution, the applicant's role is of transporting the goods from Jasola to individual buyers and there is also CDR connectivity with the other co-accused person. He, however, on



instructions, confirms that the applicant is not involved in any other case.

4. Considering the facts and circumstances of the case and the fact that the commercial quantity of *ganja* was recovered at the instance of *Mohd. Qutub* and *Mohd. Rafiq* and that there is no seizure effected at the instance of the present applicant, it is directed that the applicant be released on regular bail, subject to his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/ concerned Court/Duty J.M. and subject to the following further conditions:-

- i) The applicant shall not leave the NCR without prior permission of the concerned Court.
- ii) The applicant shall provide his mobile number to the Investigating Officer on which he will remain available during the pendency of the trial.
- iii) In case of change of residential address or contact details, the applicant shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.
- iv) The applicant shall not directly/indirectly try to get in touch with the complainant or any other prosecution witnesses or tamper with the evidence.
- v) The applicant shall regularly appear before the concerned Court during the pendency of the trial.

5. The bail application is disposed of in the above terms alongwith the pending application.

6. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.



7. Copy of the order be uploaded on the website forthwith.
8. Needless to state that nothing observed hereinabove shall amount to an expression on the merits of the case and shall not have a bearing on the trial of the case as the same has been expressed only for the purpose of the disposal of the present bail application.

MANOJ KUMAR OHRI, J

OCTOBER 9, 2024

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