

मनु गोयल खर्ब
MANU GOEL KHARB
विशेष न्यायाधीश (एन.डी.पी.एस-02)
Special Judge (NDPS-02)
कोर्ट नं. 301, तीसरी मंजिल
Court No. 301, Third Floor
द्वारका कोर्ट (द.प.) नई दिल्ली
Dwarka Courts (S-W), New Delhi

B.A. no. 1/2025 in SC no. 809/2024
Custom Vs Hemolata Devi Longjam
U/s. 8/20/23/28 NDPS Act

24.01.2025

File taken up today on an application for grant of bail moved on behalf of the applicant/accused Hemolata Devi Longjam.

Present: Sh. Puneett Singhal, Ld. SPP for Customs along with Sh. Vishu Raj, Advocate.
Ms. Shivani Sharma, Ld. Counsel for applicant/accused.

This is an application under Section 483 BNSS for grant of bail moved on behalf of applicant/accused Hemolata Devi Longjam.

Reply to the bail application filed. Copy supplied.

Arguments heard.

It is stated by Ld. Counsel for applicant/accused that applicant/accused is innocent and falsely implicated in this case and in JC since 25.10.2024. It is further stated that quantity recovered from the applicant is 9919 grams Ganja. It is further stated that rigor of 37 NDPS Act is not applicable as the alleged substance recovered is of intermediate quantity. It is further stated that chargesheet has already been filed and no fruitful purpose would be served keeping the accused in JC. It is further stated that there is no chance of his absconding or tampering with the evidence. It is further stated that the accused shall abide by all the conditions imposed by the court. Ld. Counsel for the applicant/accused relied on (1) *Narsimman Vs State of NCT Bail Appl 3655/2022 decided by Hon'ble High Court of Delhi dated 31.01.2023*; (2) *Puranmal Jat Vs State of Rajasthan SLP (Crl.) 10670/2023 deced on 02.11.2023*; (3) *Nithin Vs State of Kerala, Bail Appl no. 946/2023 decided on 10.03.2023*; (4) *Mushtaq Ahmad Bujard Vs UT of J& K, Bail Appl no. 1/2022 decided on*



14.03.2022; (5) Suraj Vs State, Bail Appl. 4133/2020 decided on 18.11.2022 and it is prayed that applicant/accused be granted bail.

Ld. SPP for the customs has opposed the bail application vide his reply dated 24.01.2025. It is submitted that the accused was apprehended on 25.10.2024 at IGI Airport and 2559 grams Narcotics drugs i.e. Ganja which accused imported into India illegally after concealing the same in red colour trolley bag. Ld. SPP for the Customs has relied on **(1) UOI Vs Ram Samujh 1993 (3) CC Cases (SC) 22** and prayed that bail application be dismissed.

Submissions already heard. Considered. Case laws pursued.

The applicant/accused **Hemolata Devi Longjam** is in custody since 25.10.2024. Chargesheet in the present case has been filed today. The applicant/accused was apprehended with 2559 grams Ganja which is intermediate quantity and the remaining drugs was recovered from co-accused Maibam Rina Devi, Sanalembi Maibam and Maibam Khogen Singh. Conclusion of trial is not likely to take place very soon and no useful purpose shall be served by keeping the applicant/accused in judicial custody.

Considering the overall facts and circumstances, the period of incarceration of the applicant/accused and the fact that there is no requirement of further custody of applicant/accused, applicant/accused **Hemolata Devi Longjam** D/o Mr. Longjam Inaobi Singh is admitted to bail on her furnishing personal bond in the sum of Rs.50,000/- with one surety of the like amount..

The bail is granted subject to the following conditions:



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1. The applicant/accused shall not directly or indirectly in any manner contact, influence or threaten the witnesses;
2. The applicant/accused shall not leave country without prior permission of the court;
3. The applicant/accused shall not tamper with evidence of the case in any manner.
4. The applicant/accused shall not commit similar offence, failing which State shall be entitled for cancellation of bail.
5. The applicant/accused is directed to surrender her passport before the concerned authorities, if in possession of the accused.

Copy of the order be sent to accused through Jail Superintendent concerned. Copy of order be also given dasti to the parties.

Put up on date already fixed i.e. **07.02.2025**.

True Copy
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Pender
24.01.25



(MANU GOEL KHARB)
SPECIAL JUDGE(NDPS)-02
DWARKA COURTS, NEW DELHI

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