

**FIR No. 224/2018**  
**PS: Crime Branch**  
**State Vs. Rakesh Mishra**  
**U/s 22/29 NDPS Act**

20.08.2020

Fresh bail application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)  
Sh. Anand Verdhan Maitreya, Counsel for accused-applicant  
(through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Rakesh Mishra in case FIR No. 224/2019.

After arguing for some time, Ld. counsel for accused-applicant submits that he does not want to press upon the present bail application and that the same may be dismissed as withdrawn as the accused-applicant is still enlarged on interim bail. It is ordered accordingly. This application for grant of regular bail on behalf of accused-applicant Rakesh Mishra in case FIR No. 224/2019 is dismissed as withdrawn.

  
(Neelofar Abla Perveen)  
ASJ (Central)TTC/Delhi

20.08.2020

**FIR No. 288/2019**  
**PS: Sarai Rohilla**  
**State Vs. Pawan @ Jaat**  
**U/s 394/397/411/34 IPC**

20.08.2020

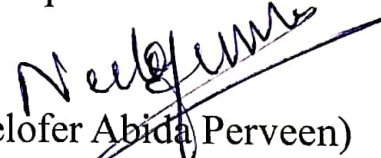
Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)  
Sh. Kshitiz Tyagi, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application on behalf of accused-applicant Pawan @ Jaat for grant of interim bail of 30 days in case FIR No. 288/2019.

IO has filed reply to the effect that medical documents could not be verified for want of original record. Ld. counsel for accused-applicant submits that he shall ensure that the original medical documents are supplied to the IO within two days from today for verification.

For report and consideration, put up on **26.08.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**20.08.2020**

**FIR No. 327/2019**  
**PS: Crime Branch**  
**State Vs. Mohar Singh**  
**U/s 21/29 NDPS Act**

20.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)  
Sh. Vinod Kumar Verma, counsel for accused-applicant (through video conferencing)

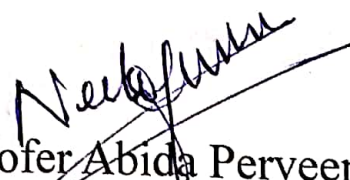
Hearing conducted through Video Conferencing.

This is second application under Section 439 CrPC on behalf of accused-applicant Mohar Singh on medical grounds.

IO has sought further time to verify medical record. Report be filed on or before the next date of hearing.

Report be also called from Jail Superintendent concerned in respect of the medical health status of the accused-applicant Mohar Singh for the next date of hearing.

For report and consideration, put up on **27.08.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**20.08.2020**

**FIR No. 327/2019**  
**PS: Crime Branch**  
**State Vs. Mohar Singh**  
**U/s 21/29 NDPS Act**

20.08.2020

Fresh application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

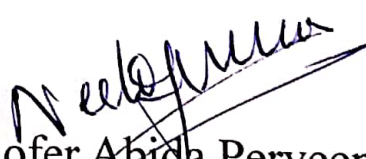
Sh. Vinod Kumar Verma, counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application on behalf of accused-applicant Mohar Singh seeking permission to interact with his family members in Jail.

Let report be called from Jail Superintendent in respect to the averments made in the applications.

For report and consideration, put up alongwith interim bail application on **27.08.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**20.08.2020**



**FIR No. 91/2018**

**PS: Kotwali**

**State Vs. Sachin**

**U/s 342/395/397/412/120B IPC and 25/27/54/59 Arms Act**

**20.08.2020**

**Present:** Sh. K.P.Singh, Ld. Addl. PP for State(through video conferencing)

Sh. V. A. Farooqui, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

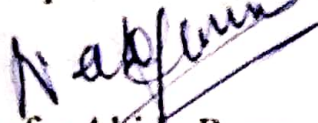
This is an application for grant of interim bail on behalf of accused Sachin in case FIR No. 91/18 invoking guidelines issued by the High Powered Committee of Hon'ble High Court of Delhi in order to decongest the prisons due to outbreak of covid-19 pandemic.

Reply is filed alongwith previous involvement report. As per report accused-applicant has no previous involvement. Custody certificate alongwith conduct report is also received from Jail Superintendent, as per report the conduct of the accused-applicant during custody is unsatisfactory.

Arguments heard.

Ld. counsel seeks to reply upon judicial pronouncement. Let the same be filed before the next date of hearing.

For orders on bail application, put up on **24.08.2020**.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
**20.08.2020**

**FIR No. 592/2017**

**PS: Timarpur**

**State Vs. Shyam Kumar Shah**

**U/s 302 IPC**

20.08.2020

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing).

Sh.Anant Mishra, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application for extension of interim bail on behalf of accused Shyam Kumar Shah in case FIR No. 592/2017.

Affidavit is filed.

Ld. counsel for accused submits that the accused-applicant has complied with all the directions and conditions imposed while granting bail except that he has not furnished the mobile phone number to the IO immediately after his release as the said condition was not explained to him by the counsel who was representing him at that time. That in para 6, 7 & 8 of the affidavit the circumstances under which the mobile phone number could not be provided earlier have been explained.

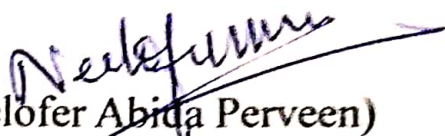
I have heard the ld. counsel for accused-applicant and has gone through the contents of the affidavit.

IO has reported that mobile phone number has now been furnished to him. In such facts and circumstances and in terms of order dated 04.08.2020 passed by the Hon'ble the High Court of Delhi in WP (C)

*Neel Kumar*

No. 3080/2020 titled as Court on its own motion v. Govt. of NCT Delhi & Anr. the interim bail of the accused-applicant Shyam Kumar Shah stands extended further by 45 days.

Application is disposed of.

  
(Neelofer Abida Perveen)  
ASJ (Central)THC/Delhi  
20.08.2020



**FIR No. 224/2018**  
**PS: Crime Branch**  
**State Vs. Babloor Kumar Nagar**  
**U/s 22/29 NDPS Act**

20.08.2020

Fresh bail application received. Be registered.

Present: Sh. K.P.Singh, Ld. Addl. PP for State (through video conferencing)

Sh. Pushkar Aryal, Counsel for accused-applicant (through video conferencing)

Hearing conducted through Video Conferencing.

This is an application under Section 439 CrPC for grant of regular bail on behalf of accused-applicant Babloo Kumar Nagar in case FIR No. 224/2019.

Reply is filed.

Ld. counsel for the accused-applicant submits that accused-applicant has been falsely implicated in the present case. That accused-applicant has no connection with the present offence and has clean antecedents. That accused-applicant is in JC since 03.09.2018. That entire transaction of sale purchase of medicine recovered is genuine. That accused-applicant was never given the opportunity by the police to produce original bills to prove his innocence. That there is no recovery from the accused-applicant. That the statement of Sh. Rahul Verma, Owner of M/S Verma Medisales was recorded on 10.09.2018 where he acknowledges that he had supplied 150 packets of TORI SR ((Tramadol

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Hydrochloride Tablets) to M/S Salasar G Pharma of batch no. HTN848G vide bill dated 28.08.2018 and had booked through courier to Delhi. Thus, there remains no doubt that the entire transaction was legitimate. That the statement of Rajesh Marwah owner of M/s Salasar G Pharma was recorded on 13.10.2018 in which he had acknowledged that the applicant-accused namely Babloo Kumar Nagar works in his pharmacy company as delivery boy and he had sent him to receive the consignment of TORI SR (Tramadol Hydrochloride Tablets) and produced the original bill for the consignment. That accused-applicant is the sole bread earner for his family consisting of his wife and minor children and in the prevailing situation due to Covid-19 pandemic are on the verge of starvation. That co-accused Sri Chand has already been granted bail and case of the accused-applicant is on the similar footing.

Ld. Addl. PP submitted that the case pertains to trafficking of Tramadol tablets in huge quantity and that it is not controverted that the accused applicant has clean antecedents and also that the accused applicant was working as an employee of Rajesh Marwaha a licensed dealer and the consignment was booked by the employee of the accused-applicant and he was sent to collect the delivery.

Heard.

It is the case of the prosecution that acting on a secret information on 3.9.2018 a raiding party upon compliance of all procedural safeguards had recovered 50 boxes of TORI-SR from the possession of co-accused Rakesh Mishra containing 25 strips of 10 tablets each, and from

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the possession of accused-applicant Babloo Kumar 100 boxes of the same drug which had been handed over by co-accused Srichand. It has been submitted on behalf of the prosecution that the further investigation has revealed that the consignment of the entire 150 boxes of Tramadol were booked by Rajesh Marwaha who is a licensed dealer and accused applicant was working as an employee of the licensed dealer and it is on his instructions had gone to collect the consignment from the courier agency, and the co-accused Srichand who has already been granted bail was the courier boy of the agency who was to make the delivery. It is the case of the prosecution that though the accused applicant is an employee of the authorized dealer and had been sent to collect the legitimate consignment of Tramadol however the accused at the spot were apprehended in pursuance to a secret information that they indulge in illegal trafficking of the Drug and at the spot were present in pursuance to a conspiracy to divert the legitimate consignment into illegal trafficking of the drug. It would lie upon the prosecution to establish that the legitimate consignment was conspired to be trafficked illegally by the accused-applicant being the employee of the authorized dealer. It cannot be lost sight of that the bills and memos in respect of the 150 boxes of Tramadol have been produced by the authorized dealer and the accused applicant was an employee of the authorized dealer. It is also not disputed that accused-applicant is an employee of the license holder and had gone to collect the consignment from the courier agency at the instructions of the licensed dealer, and the consignment as such was legitimate consignment belonging to license

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holder. It is a matter of trial if the accused applicant was acting in connivance as a part of a criminal conspiracy, there is as nothing strikingly clinching conspicuous on the record in respect of the conspiracy and the credibility and sufficiency of the material will have to be appreciated in its entirety upon the culmination of trial when the recovery witnesses are examined and cross examined. It is on account of such absence of sterling material and on account of such facts and circumstances as noticed above that I find myself inclined to record the satisfaction of the Court as mandated under section 37 of the Act in the favour of the accused-applicant while taking note of the report of the IO that accused is not involved in any other criminal case. The co-accused has already been granted bail. It has also to be taken into consideration and that trial of the case which is at the very initial stages is likely to take some time to conclude due to the suspension of the regular working of the court in the wake of the outbreak of Covid-19 Pandemic. In such facts and circumstances **application is allowed and accused-applicant Babloo Kumar Nagar is granted regular bail in case FIR No. 224/2018 on furnishing personal bond in the sum of Rs.50,000/- with two sureties in the like amount to the satisfaction of the Court/Duty MM and subject to the condition that accused-applicant shall not in any manner threaten/influence the witnesses in this case or tamper with the evidence or interfere with the course of justice in any manner whatsoever, shall appear scrupulously on every date of hearing in the court and shall not in any manner delay the trial, and shall furnish his mobile phone number to the IO**

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and shall ensure that the mobile phone number remains throughout on switched on mode with location activated and shared with the IO. That on weekly basis accused-applicant shall confirm his location to the IO telephonically. That accused-applicant on the 1st of each calendar month shall mark his presence with the SHO of PS Crime Branch. That the accused-applicant shall not leave the territorial limits of NCR Region without prior intimation to the IO concerned nor shall he change his address or mobile phone number without intimation to the IO concerned. The sureties shall also intimate to the IO any change in address or their mobile phone numbers which shall be mentioned in the Bond.

  
(Neelofer Abida Perveen)  
ASJ (Central)IHC/Delhi  
20.08.2020