

Bail Matters 3477/2023  
STATE Vs. RAJ KUMAR SHAH  
FIR No 172 /2023  
PS (Badarpur)  
03.11.2023

Present: Sh. Wasi-Ur- Rahman, Ld. Addl. PP for the State.  
Sj Aditya Agarwal, Naveen Panwar and Manas  
Agarwal, Ld. Counsel for accused Raj Kumar  
Shah.  
IO/SI Amit Kumar PS Badarpur in person.

**ORDER ON REGULAR BAIL APPLICATION**

1 Vide this order, this Court shall adjudicate upon the regular bail application filed on behalf of the applicant/accused Raj Kumar Shah. Arguments were heard *in extenso*, the gist whereof is discussed hereunder.

2 Ld. Counsel for accused submitted that the accused has been languishing in JC since 24.05.2023. It was submitted that the accused has been falsely implicated in the present matter as he has nothing to do with alleged incident. It was submitted that quantity recovered from him is almost small quantity ie 1100 grams. It was further submitted that the accused is an old man aged about 58 years. It was also submitted that investigation in the present matter has been completed and chargesheet has also been filed. Ld. Counsel thus submitted that bail ought to be granted to accused as he is ready to abide by all the terms and conditions imposed upon him by this Court.

3 *Per contra*, Ld Addl PP for alongwith IO opposed the bail

application citing the gravity of offence as one of the main grounds. It was submitted that co-accused namely Pawan is yet to be arrested. Ld. Addl PP for State thus submitted that bail ought not to be granted to accused as he may jump the conditions of bail and may flee from justice.

4 Submissions heard.

5 A perusal of record reveals that the accused has been languishing in JC since 24.05.2023. During the course of arguments, it was brought to the fore that investigation in the present matter has been completed and chargesheet has also been filed. Further, it was also brought to the fore that accused is an old man aged about 58 years. The quantity of contraband recovered is admittedly almost small quantity.

6 Under these circumstance, taking into account the submissions and the fact that investigation has been completed and chargesheet has also been filed, and keeping in mind that quantity is almost small quantity, this Court deems it fit to grant regular bail to accused Raj Kumar Shah, on his furnishing personal bond with surety bond of Rs.50,000/- with one surety in the like amount, subject to following conditions:

- i) The accused is directed to reside in Delhi till further orders and the address shall be verified by the IO concerned at the time of acceptance of bail bonds.
- ii) The accused shall report to the concerned Police Station once in a week, that is, on every Friday at 10:30 AM and the

Police is directed to release him by 11:00 AM after recording his presence and completion of all the necessary formalities.

iii) The accused shall not leave territory of India without the prior permission of this Court,

iv) The accused is directed to give all his mobile numbers to the Investigating Officer and keep them operational all the times,

v) The accused shall not, directly or indirectly, tamper with evidence or try to influence the witnesses in any manner,

vi) In case it is established that the accused has indulged in similar kind of offences or tried to tamper with the evidence, the bail granted to accused shall stand cancelled forthwith.

7 Needless to say, the abovementioned 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.

8 In compliance of *In Re Policy Strategy for Grant of Bail SMWP (Crl) No. 4/2021*, Ahlmad is directed to send the copy of this order to concerned Jail Superintendent by email. Further, in compliance of *Sanjay Singh Vs. State ( Govt of N.C.T of Delhi) Writ Petition Criminal 974/2022*, also copy of this order be sent to concerned Jail Superintendent to convey the order to inmate. Order be given dasti.

(ARUL VARMA )

ASJ-04 + Spl. Judge (NDPS) South East District,  
Saket Court, New Delhi: 03.11.2023