

CNR No. DLSW01-007852-2025
SC 545/2025
STATE Vs. Ajay Srivastav
FIR NO.261/2025
U/s 20/2561/85 NDPS Act
P.S Kapashera

09.09.2025

Only one substitute stenographer is available today.

This is an application u/s 483 BNSS for grant of bail moved on behalf of applicant/accused Ajay Srivastav.

Present: Sh. Pramod Kumar, Ld. Addl. PP for the State
Sh. Saurav Yadav and Sh. Rohit Taneja, Ld counsels for
applicant/accused.

It is submitted by Ld. Counsel for the accused/applicant that accused/applicant is falsely implicated in the present case and he is in judicial custody since 24.06.2025. It is further submitted that no contraband substance was recovered from the applicant/accused and as per prosecution case the alleged recovery of 3.124 kg of ganja was effected from co-accused Anuj Saini. It is further submitted that applicant/accused was merely accompanying the co-accused as a pillion rider and had no knowledge of the contents of the bag allegedly in possession of the co-accused. It is further submitted that investigation qua the applicant/accused is already complete and chargesheet has already filed in the present case. It is further submitted that applicant/accused is ready to abide by all the conditions which may be imposed upon him and therefore, it is requested that he may be granted bail.

On the other hand, Ld. Addl. PP has opposed the bail application on the ground that offence is grave in nature and hence, it is prayed that he may not be granted bail.

Submissions considered. Record perused.

The record reveals that on 23.06.2025 two accused persons namely Anuj Saini and Ajay Shrivastav (applicant) were arrested in the case as

they were found in possession of 3.124 kg of contraband NDPS substance. The applicant was driving the motorcycle whereas accused Anuj Saini was sitting behind Ajay Shrivastava, carrying contraband substance. During investigation, both accused persons Anuj Saini and Ajay Shrivastava were arrested in the case on 23.06.2025 and at the instance of Anuj Saini, 9.164 kg of ganja was recovered from his rented premise. No further recovery of any contraband was made from the applicant. Even though the entire recovery of contraband in the matter is of commercial quantity however recovery made from the applicant is only about 3.124 kg as alleged by the prosecution which is intermediate quantity. Order relied on is of Hon'ble High Court of Delhi in Chandan Kumar Vs. State (NCT of Delhi) dt. 27.11.2024. Perusal of records shows that investigation in the present case is already complete qua the applicant, recovery has already been effected and charge-sheet has been filed and therefore, no purpose would be served by keeping the applicant behind the bars for indefinite period.

Considering the above stated, this Court is inclined to grant bail to the present applicant/accused. Accordingly, the application stands allowed. **Applicant/accused Ajay Srivastav is hereby granted bail** on furnishing personal bond in sum of Rs.30,000/- with one surety of like amount to the satisfaction of the Court. Accused is directed to not get involved in similar offence, else his bail may be reconsidered. He is directed to appear before the Court on each and every date.

Application stands disposed of accordingly.

Copy of this order be given dasti to Ld. counsel for applicant, if prayed for. Copy of this order be also sent to Jail Superintendent for information and compliance.

No observations are made on the merits of the case.

(Bhavna Kalia)

Spl. Judge (NDPS)-01/Dwarka Courts/SW
New Delhi/09.09.2025