



2026:DHC:7685



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 09.09.2026

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CNR No. DLHC010156452026

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BAIL APPLN. 1470/2026**FRED OKEKE @EKPYONY**

.....Petitioner

Through: Mr. J.S. Kushwaha and Ms. Tanya
Kushwaha, Advocates

versus

NARCOTICS CONTROL BUREAU

.....Respondent

Through: Ms. Shelly Dixit, Advocate with
Inspector Rakesh Rana

CORAM: JUSTICE GIRISH KATHPALIA**JUDGMENT (ORAL)**

1. The accused/applicant seeks regular bail in Case No. VIII/37/DZU/2021 for offence under Section 21(c) NDPS Act.
2. Broadly speaking, the accused/applicant, a foreign national was apprehended on 25.06.2021 and was found in possession of 122 grams *cocaine* being carried by him on his scooter.



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3. At the outset, learned counsel for accused/applicant submits that the only ground on which the accused/applicant seeks bail is prolonged incarceration without concluding the trial. In this regard, learned counsel for accused/applicant places reliance on the judgment of the Hon'ble Supreme Court in the case of *Rabi Prakash vs The State of Odisha*, 2023 SCC Online SC 1109. It is submitted that the accused/applicant was arrested on 25.06.2021, but till date only 6 out of 17 prosecution witnesses have been examined.

4. On being called upon to produce the ordersheets of the trial court in order to ascertain as to whether the alleged delay in trial is not being caused by the defence side itself, learned counsel for accused/applicant expresses inability to show the same. But learned counsel for respondent NCB submits that having examined the trial court record, she found that in the trial there was no delay caused on behalf of the accused/applicant.

5. Further, learned counsel for NCB also submits that the only objection they have is that passport and visa of the accused/applicant is no more valid, so if he has to be released on bail, his custody be given to FRRO only.

6. Considering the above circumstances, the application is allowed and the accused/applicant is directed to be released on bail and **be handed over to FRRO** subject to his furnishing a personal bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the Trial Court/Duty Magistrate.



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7. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the accused/applicant.

**GIRISH KATHPALIA
(JUDGE)**

SEPTEMBER 09, 2026/as