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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 27.10.2026*

\# **CNR No. DLHC010331742026**

\+ **BAIL APPLN. 2935/2026**

TINKU .....Petitioner

Through: Mr. Suhaira Irfan, Advocate.

versus

NARCOTICS CONTROL BUREAU .....Respondent

Through: Mr. Arun Dixit, SSC and Ms. Shelly Dixit, Advocate.

CORAM: JUSTICE GIRISH KATHPALIA

J U D G M E N T (ORAL)

1. The accused/applicant seeks regular bail in Complaint No. VIII/15/DZU/2025 for offence under Section 8(C)/21/22/29 NDPS Act.

2. In furtherance of last order, NCB filed a detailed status report with documents (*placed in Volume II of pleadings folder*). Advance copies of the same were duly supplied to learned counsel for accused/applicant on 01.10.2026. I have heard learned counsel for both sides.

3. Briefly stated, prosecution case is as follows. On the basis of secret information, a raid was conducted in which 5.103 kg amphetamine was recovered, which followed multiple raids at different places in which different quantities of different types of contrabands were recovered from

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different persons. The role attributed to the present accused/applicant is that it is he, who was coordinating the international drug peddling cartel, consisting of Indian and African nationals.

4. On earlier dates of hearing, learned counsel for accused/applicant had contended that the entire case against the accused/applicant is based solely on the disclosure statements of the co-accused. That was refuted by learned counsel for respondent/NCB, contending that in addition to the disclosure statements, there are certain WhatsApp chats between the present accused/applicant and co-accused persons, explicitly dealing in the contraband. Since those WhatsApp chats had not been filed with the status report, opportunity to do so was granted to the respondent/NCB, which has now been done.

5. Learned counsel for accused/applicant submits that even in the record filed after last date, there is no incriminating material against the accused/applicant. It is contended that the only material connecting the accused/applicant with the alleged offence being the disclosure statements of co-accused persons, he deserves to be released on bail. It is contended that the printouts of WhatsApp chats filed by respondent/NCB pertain only to some Manav Bidla while the present accused/applicant is Tinku, so those chats are not relevant for present purposes.

6. On the other hand, learned counsel for respondent/NCB has referred

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to Annexure A-5 and has also produced before me, the seizure memo of mobile phone of the accused/applicant in support of his contention that Manav Bidla and Tinku are the same person.

7. To begin with, it is not in dispute that the quantity of contraband allegedly recovered from the accused/applicant and co-accused persons is commercial quantity, so the present consideration has to be on the parameters stipulated under Section 37 of NDPS Act.

8. The WhatsApp chats depict the mobile phone number involved as 8222841108 as the mobile phone number of Manav Bidla. So far as the present accused/applicant Tinku is concerned, his mobile phone number, according to the KYC (Annexure A-5), is 8053403405. In the course of arguments today, learned counsel for accused/applicant emphasized that the accused/applicant does not even know Manav Bidla and has no connection with mobile phone 8222841108. But it would be significant to note that in the said KYC Application Form that had been submitted by the accused/applicant before the concerned authority, the said mobile phone number 8222841108 has been described as alternate contact number. Not only this, as per record shown today by learned counsel for respondent/NCB, both the said phone SIM cards were recovered from the same mobile phone, which had been seized from possession of the accused/applicant. Prima facie, it is clear that both the said mobile phones were held and being used by the accused/applicant under the names – Tinku

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and Manav Bidla.

9. Of course, the above observations have been recorded only for the limited purpose of dealing with the rival contentions while considering the issue of bail and the trial court shall arrive at an independent view on the basis of material produced on record.

10. In other words, it is not a case based solely on the disclosure statements of the co-accused persons. There are severely incriminating WhatsApp chats, whereby the accused/applicant is placing orders of various kinds of contrabands and quantities thereof and even the acknowledgement and payments.

11. The above circumstances fail the case set up by the accused/applicant on the anvil of Section 37 NDPS Act. Therefore, the bail application is dismissed.

12. Copy of this order be sent to the concerned Jail Superintendent for being conveyed to the accused/applicant.

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(JUDGE)

OCTOBER 27, 2026/*ry*

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