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

% *Date of Decision: 12.08.2026*

CNR No. DLHC010725122025

+ **BAIL APPLN. 3670/2025**

PASCHAL OBINNA NWAGBAOSOPetitioner

Through: Mr. Sushma Sharma and Mr. Girish Kumar, Advocates.

versus

NARCOTIC CONTROL BUREAURespondent

Through: 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 case no. VIII/77/DZU/2021 of PS NCB Delhi for offence under Section 8(c)/20(b)/21(b)/22(c)/23/25 & 29 NDPS Act.
2. This application came up for first hearing on 23.09.2025 before the predecessor bench and remained pending before different benches for one or the other reasons and finally it was transferred to this bench for hearing today.
3. Broadly speaking, allegation of prosecution is that from possession of

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the accused/applicant 60 grams cocaine (*intermediate quantity*) and 55 grams Methamphetamine (*commercial quantity*) was recovered. The accused/applicant is in jail since 08.12.2021 and his Visa also has expired.

4. Earlier bail application of the accused/applicant, registered as Bail Application No.1950/2025 was dismissed by this bench on 20.05.2025. Learned counsel for accused/applicant submits that the only ground on which bail is sought by the accused/applicant is delay in trial. It is contended that on 20.05.2025, when the earlier bail application of the accused/applicant was dismissed, the trial status was that out of 22 prosecution witnesses only 07 had been examined, and the current trial status is that only 08 witnesses out of 22 prosecution witnesses have been examined.

5. Learned counsel for respondent NCB does not dispute the trial status, as informed by counsel for accused/applicant. However, learned counsel for respondent NCB requests that the trial court may be directed to expedite the trial, instead of releasing the accused/applicant on bail, because the accused/applicant is a foreign national.

6. As mentioned above, the admitted pace of trial is that in the period of more than one year, only one witness of prosecution could be examined before the trial court. Of course, it is not that the trial court is not proceeding with diligence. The board load of the trial court has not been disclosed by either side. Even otherwise, there can be multiple reasons leading to delay in

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trial. The fact remains that the accused/applicant is in jail since 08.12.2021 and end of trial is nowhere in the sight.

7. The apprehension expressed by the learned counsel for respondent NCB that the accused/applicant is a foreign national, can be dealt with by directing that custody of the accused/applicant be handed over to FRRO since his Visa has expired.

8. Considering the above circumstances, the bail application is allowed and subject to the accused/applicant furnishing a personal bond in the sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of the trial court, the accused/applicant be released on bail by **handing over his custody to FRRO.**

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

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**GIRISH KATHPALIA
(JUDGE)**

AUGUST 12, 2026/ry