

PBGD010091002019



Presented on : 07-09-2019

Registered on : 07-09-2019

Decided on : 10.09.2019

**IN THE COURT OF SHRI AVTAR SINGH BARDHA,
JUDGE SPECIAL COURT.**

GURDASPUR.

UNIQUE IDENTIFICATION CODE NO. (PB0159)

B.A.No. 366 dated 06.09.2019

CIS no. BA-2753-2019

Date of order: 10.09.2019

Vijay Kumar son of Kala Ram resident of village Tibri, Tehsil and District
Gurdaspur.

----Accused/applicant

Versus

State of Punjab

FIR No. 0064 dated 20.08.2019

U/ss 21/61/85 of NDPS Act & 29 NDPS Act added later on
P.S. Tibber

1st BAIL APPLICATION U/S 439 OF THE CR.P.C.

Present: Sh. Rahul Puri Adv. counsel for the accused/applicant
Sh. Kiran Kumar Addl.P.P for the State.

ORDER

1. This order of mine shall dispose of 1st bail application moved by the applicant-accused Vijay Kumar under Section 439 Cr.PC in the above noted case.

2. Notice of the bail application was given to the State and learned Additional Public Prosecutor has appeared and opposed the bail application. I.O. has also come present alongwith police file.

3. The present case arising out of FIR No. 64 dated 20.08.2019 under section 21 and 29 of NDPS Act relating to Police Station Tibber in

which accused/applicant was arrested on 29.08.2019 as co-accused Deepak Masih suffered statement that he has brought 03 gms heroine from accused/applicant. Hence, present accused/applicant was also nominated in the present case.

4. Perusal of police record reveals that accused is in custody since 29.08.2019. The presentation of charge sheet and conclusion of trial is likely to take considerable time and keeping in view the aforesaid facts and recovery being non commercial in nature, accused as such under the circumstances is ordered to be released on bail on furnishing bail bonds in the sum of Rs. 70,000/- with one surety of the like amount subject to the following conditions.

- (i) That accused/applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.
- (ii) That accused/applicant shall not leave the country without prior permission of the court.
- (iii) That accused/applicant shall appear in the court on each and every date of hearing.

Concerned Ahlmad of this court is directed to return the police record/file to the concerned official or Naib court of this court on proper verification and identification against proper receipt, whereas bail application file be attached with the pending papers.

Pronounced: 10.09.2019
Dilbag SINGH STENOGRAPHER GRADE.II.

Avtar Singh Barda)
Judge Special Court,
Gurdaspur. UID (PB0159)

This order has been directly dictated on the computer.

Present: Sh. Rahul Puri Adv. counsel for the accused/applicant
Sh. Kiran Kumar Addl.P.P for the State.

Record from the concerned Police station received. Heard on the regular bail application filed by accused/applicant under section 439 Cr.P.C and vide my separate detailed order of the even date, same stands allowed. Concerned Ahlmad of this court is directed to return the police record/file to the concerned official or Naib court of this court on proper verification and identification against proper receipt whereas bail application file be attached with the pending papers.

Pronounced: 10.09.2019

Dilbag SINGH STENOGRAPHER GRADE.II.

(Avtar Singh Barda)

Judge Special Court(Duty),

Gurdaspur. UID (PB0159)

This order has been directly dictated on the computer.